

The Gazette



of India

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NOTICE

The undermentioned Gazettes of India Extraordinary were published upto the 17th October, 1963 :—

Issue No.	No. and Date	Issued by	Subject
202	S. O. 2940, dated 15th October, 1963.	Delimitation Commission.	Publishing proposals in respect of the distribution of the seats allotted to the State of Madhya Pradesh in the House of the People.
203	S.O. 3012, dated 16th October, 1963	Ministry of Finance	The Central Civil Services Third Amendment Rules, 1963.
204	S.O. 3013, dated 17th October, 1963.	Ministry of Information & Broadcasting	Approval of film specified therein
	S.O. 3014, dated 17th October, 1963.	—Ditto—	Approval of film specified therein.

Copies of the Gazette Extraordinary mentioned above will be supplied on indent to the Manager of Publications, Civil Lines, Delhi. Indents should be submitted so as to reach the Manager within ten days of the date of issue of this Gazette.

PART II—Section 3—Sub-section (ii)

Statutory orders and notifications issued by the Ministries of the Government of India (other than the Ministry of Defence) and by Central Authorities (other than the Administration of Union Territories).

ELECTION COMMISSION, INDIA

New Delhi, the 17th October 1963

S.O. 3057.—The following Order of the Chief Election Commissioner is published for general information:—

ORDER No. 12

In exercise of the powers conferred by clause (b) of section 8 of the Two-Member Constituencies (Abolition) Act, 1961, I hereby make the following further

(3873)

amendments in Schedule X of the Delimitation of Parliamentary and Assembly Constituencies Order, 1961, namely:—

- (i) In Part B of the said Schedule, in the entry in column 2 against item 1, after the word "Omerkote" the word "Raighar" shall be inserted.
- (ii) In the Note at the end, for the word "January" the word "April" shall be substituted.

K. V. K. SUNDARAM,
Chief Election Commissioner, India.

New Delhi,
the 17th October, 1963.

[No. 282/OR/62.]

By order,

PRAKASH NARAIN, Secy.

MINISTRY OF HOME AFFAIRS

New Delhi, the 19th October 1963

S.O. 3058.—In exercise of the powers conferred by sections 7 and 36 of the Indian Ports Act, 1908 (15 of 1908) the Central Government hereby makes the following amendment in the notification of the Government of India in the Ministry of Home Affairs No. 56/3/49-II AN, dated the 30th December, 1952, namely:—

For the entry against serial number 4, in column I of the Schedule to the said notification, the following entry shall be substituted, namely:—

"The Additional Deputy Commissioner, Nicobar Islands".

[No. 34/6/63-AN.]

M. B. MALHOTRA, Under Secy.

New Delhi, the 19th October 1963

S.O. 3059.—In exercise of the powers conferred by clause (1) of article 239 of the Constitution, the President hereby directs that the Chief Commissioner, Pondicherry, shall, subject to the control of the President and until further orders, discharge the functions of the Central Government under section 7 of the Explosive Substances Act, 1908 (6 of 1908), in relation to the Union Territory of Pondicherry.

[No. 15/10/63-Police-IV.]

S.O. 3060.—In exercise of the powers conferred by entry 3(c) of Schedule I annexed to the Ministry of Home Affairs Notification No. 15/13/59-(V)-P. IV, dated the 13th July 1962 (GSR No. 991, Published in the Gazette of India Part II, Section 3, Sub-Section (ii), dated the 28th July 1962), the Central Government is pleased to specify Raj Kumar Divyabhanusinhji, brother of the ruler of Mansa, for the purpose of that entry and directs that the exemption shall be valid in respect of one 12 bore gun, one Pistol/revolver and one rifle only.

2. This Ministry's Notification No. 16/12/62-Police IV, dated the 11th December 1962, is hereby cancelled.

[No. 16/9/63-P. IV.]

S.O. 3061.—In exercise of the powers conferred by clause (1) of article 239 of the Constitution, the President hereby directs that the Chief Commissioner, Pondicherry, shall, subject to the control of the President and until further orders, exercise the powers and discharge the functions of the Central Government under the provisions of the Arms Act, 1959 (54 of 1959), the Arms Rules, 1962 and the notifications mentioned in column 1 of the Schedule below subject to such conditions as are

specified in column 2 thereof in relation to the Union territory of Pondicherry namely:—

SCHEDULE

Provision of the Act, Rules or Notifications	Conditions, if any, subject to which functions have been entrusted
I. The Arms Act, 1959 :	
Sections—	
2(4), 4, 10(2), 13(3) (a) (ii)	Nil
17(9)	This entrustment is without prejudice to the power of the Central Government to revoke or suspend licences throughout the whole or any part of India.
19(I), 22(2), 23, 24	Nil.
34	Sanction is to be accorded in consultation with the local customs authorities.
42(I), 45(b)(i) and 45(b) (iii)	Nil
II. The Arms Rules, 1962 :	
(i) Rules—	
2(c), 22(f) (iii)	Nil
II.	The restriction is limited to the territory under the administrative control of the Administrator.
26, 27, 42(1), 43(3), 48(I)	Nil
57(3)	The entrustment under this rule is of the following power only, namely, by general or special order to remit or, reduce the fee payable in respect of the grant or renewal of any licence—
	(a) for the transport or possession of sulphur in reasonable quantities proved to the satisfaction of the Administrator to be required in good faith for medicinal agricultural, manufacturing or industrial purposes other than the manufacture of ammunition; or
	(b) under rule 28 to any persons for the import of any arm or ammunition in reasonable quantities proved to the satisfaction of the authority granting the licence to be required in good faith for the protection of persons and property.
61	Nil

(ii) Schedules

II. Item Nos. 2, 3(g) and 21 . . . Nil

III. Licence Forms—

II, condition 3	}	Nil
III, conditions 4, 7 & 10		
III-A, condition 3		
IV, conditions 5 and 6		
V, conditions 6 and 7		
VI, conditions 4 and 7		
VIII, condition 5		
IX, conditions 2, 3, 8, 11 and 12 (proviso)		
X, conditions 4 and 5		
XI, conditions 2, 3, 7, 10 and 11 (proviso)		
XII, conditions 2, 3, 6, 9 & 10 (proviso)		
XIII, conditions 2, 3, 6, 9, & 10 (proviso)		
XIV, conditions 3 and 8		
XV, condition 3(a) (ii)		

(iii) Notifications—

(1) No. 15/13/59(V)-P.IV, dated the 13th July 1962 [G.S.R. 991, published in the *Gazette of India*, Part II, Section 3(i), dated 28th July, 1962].

Proviso (b) (i) & (b) (ii) . . . Nil

Schedule I—

Column 4 of entry 3(b)	. . .	Nil
Column 4(i) of entry 4	. . .	Nil
Column 1 of entry 6	. . .	Nil

Schedule II—

Entry I—Clauses (3)[Proviso in col. 2] (4), (5), (9) (a), 9(b), 12(b), 13(a), and 13(b);	}	Nil
entry 2 (proviso in col. 2),		
entry 3 (proviso in col. 2),		

(2) No. 15/13/59(VI)-P. IV, dated the 13th July, 1962 [G.S.R. 993 published in the *Gazette of India*, Part II, Section 3(i), dated 28th July, 1962].

entry 5 of the Table.

[No. 15/10/63-P.IV.]

M. SIVAGNANAM, Dy. Secy.

New Delhi, the 23rd October, 1963

S.O. 3062.—In exercise of the powers conferred by clause (b) of Article 318, of the Constitution, the President hereby makes the following regulations further to amend the Union Public Service Commission (Staff) Regulations, 1958, namely:

1. These regulations may be called the Union Public Service Commission (Staff) Third Amendment Regulations, 1963.
2. In the Union Public Service Commission (Staff) Regulations, 1958, for sub-regulation (iv) of Regulation 3, the following sub-regulation shall be substituted, namely:

“(iv) Notwithstanding anything contained in sub-regulations (ii) and (iii), a person appointed as Secretary shall, unless he is granted extension of service by the President, retire on attaining the age of compulsory retirement prescribed for members of the service to which he belongs or where he is not a member of any organised service, on attaining the age of 58 years.

Provided that where the Secretary is not a member of any organised service—

- (a) the appointing authority may, without assigning any reasons and after giving him three months notice in writing, require him to retire after he attains the age of fifty five years;
- (b) he may after attaining the age of fifty five years retire, after giving three months notice in writing to the appointing authority".

[No. F. 22/10/63-Estt.(B).]

K. THYAGARAJAN, Under Secy.

MINISTRY OF FINANCE

(Department of Economic Affairs)

New Delhi, the 24th October, 1963

S.O. 3063.—In exercise of the powers conferred by section 53 of the Banking Companies Act, 1949, (10 of 1949), the Central Government, on the recommendation of the Reserve Bank of India, hereby declares that the provisions of section 9 of the said Act shall not apply to the South Travancore Bank Ltd., Neyyoor, in respect of the property held by it at Perunkadavila Village, Neyyattinkara Taluk, Trivandrum District, till the 18th August, 1964.

[No. F. 15(15)-BC/63.]

B. J. HEERJEE, Under Secy.

(Department of Economic Affairs)

(New Delhi, the 24th October 1963)

S.O. 3064—Statement of the Affairs of the Reserve Bank of India, as on the 18th October 1963

BANKING DEPARTMENT

LIABILITIES		Rs.	ASSETS		Rs.
Capital paid up		5,00,00,000	Notes		23,61,45,000
Reserve Fund		80,00,00,000	Rupee Coin		2,85,000
National Agricultural Credit (Long Term Operations) Fund		73,00,00,000	Small Coin		3,47,000
National Agricultural Credit (Stabilisation) Fund		8,00,00,000	National Agricultural Credit (Long term Operations) Fund		
Deposits :—			(a) Loans and Advances to :—		
(a) Government			(i) State Governments		27,10,97,000
(i) Central Government		48,90,44,000	(ii) State Co-operative Banks		9,91,20,000
(ii) State Governments†		11,01,13,000	(iii) Central Land Mortgage Banks
(b) Banks			(b) Investment in Central Land Mortgage Bank Debentures		3,55,31,000
(i) Scheduled Banks		81,92,43,000	National Agricultural Credit (Stabilisation) Fund		
(ii) State Co-operative Banks		1,84,78,000	Loans and Advances to State Co-operative Banks
(iii) Other Banks		12,11,000	Bills purchased and Discounted :—		
(c) Others		163,05,54,000	(a) Internal
Bills Payable		38,04,62,000	(b) External
Other Liabilities		27,04,80,000	(c) Government Treasury Bills		74,61,61,000
			Balances Held Abroad*		7,99,70,000
Rupees		537,95,85,000	Loans and Advances to Governments**		56,20,02,000
			Loans and Advances to :—		
			(i) Scheduled Banks†		2,10,75,000
			(ii) State Co-operative Banks††		132,63,09,000
			(iii) Others		2,03,05,000
			Investments		172,99,93,000
			Other Assets		25,12,45,000
			Rupees		537,95,85,000

*Includes Cash and Short-term Securities.

**Excluding Loans and Advances from the National Agricultural Credit (Long -Term Operations) Fund, but including temporary overdrafts to State Governments.

†Includes Rs. Nil scheduled to scheduled banks against usance bills under section 17(4) (c) of the Reserve Bank of India Act.

††Excluding Loans and Advances from the National Agricultural Credit (Long Term Operations) Fund and the National Agricultural Credit (Stabilisation) Fund.

Dated the 23rd day of October, 1963.

An Account pursuant to the Reserve Bank of India Act, 1934, for the week ended the 18th day of October, 1963

ISSUE DEPARTMENT

LIABILITIES	Rs.	Rs.	ASSETS	Rs.	Rs.
Notes held in the Banking Department	23,61,45,000		Gold Coin and Bullion :—		
Notes in circulation	2261,33,25,000		(a) Held in India	117,76,10,000	
Total Notes issued		2284,94,70,000	(b) Held outside India	
			Foreign Securities	92,45,69,000	
			TOTAL		210,21,79,000
			Rupee Coin		120,41,89,000
			Government of India Rupee Securities		1954,31,02,000
			Internal Bills of Exchange and other
TOTAL LIABILITIES		2284,94,70,000	TOTAL ASSETS		2284,94,70,000

Dated the 23rd day of October, 1963.

P. C. BHATTACHARYYA,
Governor.

[No. F. 3(2)-BC/63.]
A. BAKSI, Jr. Secy.

(Department of Revenue)

New Delhi, the 21st October 1963

S.O. 3065.—Whereas the Central Government is of the opinion that it is necessary in the public interest to exempt the State Bank of India from the operation of the provisions of sub-rule (1) of rule 126C of the Defence of India Rules, 1962, to the extent specified below;

Now, therefore, in exercise of the powers conferred by rule 126U of the Defence of India Rules, 1962, the Central Government hereby exempts the State Bank of India from the operation of the provisions of sub-rule (1) of rule 126C of the Defence of India Rules, 1962, in so far as the said sub-rule prohibits the sale or transfer or exhibition for sale or transfer of any ornament having gold of a purity exceeding fourteen carats.

2. This notification shall be deemed to have come into force on the 31st August, 1963.

[No. F. 1/56/63-GC.]

C. CHIDAMBARAM, Under Secy.

(Department of Revenue)

New Delhi, the 24th October 1963

S.O. 3066.—In exercise of the powers conferred by sub-rule (4) of rule 126J of the Defence of India Rules, 1962, I, B. D. Pande, the Administrator hereby authorise the Collectors of Central Excise the powers of the Administrators to hear appeals under sub-rules (3) and (9) of rule 126M of the said rules against orders—

(a) of adjudication of confiscation;

(b) imposing penalty;

passed by an officer not below the rank of Assistant Collector of Central Excise.

[No. F. 1/79/63-GC.]

B. D. PANDE, Administrator.

MINISTRY OF INDUSTRY**ORDER***New Delhi, the 18th October 1963*

S.O. 3067/IDRA/6/3.—In exercise of the powers conferred by Section 6 of the Industries (Development and Regulation) Act, 1951 (65 of 1951) read with Rules 5(1) and 8 of the Development Councils (Procedural) Rules, 1952, the Central Government hereby appoints, till the 27th August, 1965, Sarvashri R. B. Ganapathy and G. Narasimhan to be members of the Development Council established by the Order of the Government of India in the Ministry of Industry No. S.O. 2531 dated the 28th August, 1963, for the scheduled industries engaged in the manufacture or production of Non-Ferrous Metals, including Alloys and Semi-manufactures thereof and directs that the following amendments shall be made in the said Order, namely:—

(i) In the said Order, for entry No. 8 relating to Shri R. B. Bainbridge, the following entry shall be substituted, namely:

8. Shri R. B. Ganapathy, M/s. Bengal Ingot Company Ltd., 5, Hide Road, Kidderpore, P.O. Box No. 10615, Calcutta-43.

(ii) In the said Order, after entry No. 25 relating to Shri N. N. Kapadia, the following entry shall be inserted, namely:—

26. Shri G. Narasimhan, General Manager, Ordnance Factory, Ambarnath.

[No. 1(7)/L.Pr./63.]

S. P. KRISHNAMURTHY, Under Secy.

(Indian Standards Institution)

New Delhi, the 17th October 1963

S.O. 3068—In exercise of the powers conferred by sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1962, the Indian Standards Institution hereby notifies the issue of errata slips particulars of which are given in column (4) of the Schedule hereto annexed, in respect of the Indian Standards specified in column (2) of the said Schedule.

THE SCHEDULE

Sl. No.	No. and Title of Indian Standard	No. and date of Gazette Notification in which establishment of Indian Standard was notified	Particulars of Errata Slip Issued
(1)	(2)	(3)	(4)
1.	IS : 1893-1962 Recommendations for Earthquake Resistant Design of Structures	S.O. 483 dated 16 Feb. 1963	<p>Page 10, sub-clause 5.2.6—Please read the following for the existing sub-clause :</p> <p>‘5.2.6 The lateral force shall be taken as W/g times the spectral acceleration or W times the seismic coefficient specified for Zone VI for soft soil in 3.4.1, whichever is greater, and it shall be assumed to be applied at the centre of gravity of the tank horizontally in the plane in which the structure is assumed to oscillate for purposes of carrying out the lateral load analysis.</p> <p>NOTE—For a detailed spectral analysis, see Appendix F.’</p> <p>Page 11, sub-sub-clause 5.3.2.2—Please read the following for the existing equation for M :</p> $M = (0.2 A) \frac{W h^2}{2} \left[0.60 \left(\frac{x}{h} \right)^{\frac{1}{2}} + 0.40 \left(\frac{x}{h} \right)^4 \right]$

(1)

(2)

(3)

(4)

Page 24, Appendix E—Please read the following for the existing seismic coefficients against the towns given below :

TOWN	ZONE	SEISMIC COEFFICIENT		
		Hard Soil	Average Soil	Soft Soil
Amritsar	III	0.04	0.05	0.06
Moradabad	IV	0.05	0.06	0.08
Filibhit	III	0.04	0.05	0.06
Punakha	IV	0.05	0.06	0.08
Sironj	I	0	0.01	0.02

Page 25, continued matter of clause F-2.1

(a) line 3—please read ' S_d ' for ' S_a '.

(b) line 4—please read ' S_a ' for ' S_d '.

Page 25, clause F-5.1

(a) line 4—delete the letter symbol ' S_a '.

(b) line 10—please read ' $V = S_a \times N \times \frac{W}{g}$ ' for ' $V = S_a \frac{W}{g}$ '.

IS : 2131-1963 Method for Standard Penetration Test for Soils

S.O. 1760
dated 29 June, 1963.

(i) Page 9, clause 3.3.3, line 2
please read 'effect' for 'affect'

(ii) Page 9, clause 3.3.3, line 8
please read '30 cm' for '30'.

Copies of these Errata Slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9, Mathura Road, New Delhi-1 and also at its Branch Offices at (i) 232, Dr. Dadabhoy Naoroji Road, Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54, General Patters Road, Madras-2, and (iv) 14/69, Civil Lines, Kanpur.

[No. MD/13:6]

S.O. 3069—In pursuance of regulation 4 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that amendments to the Indian Standards, given in the Schedule hereto annexed, have been issued under the powers conferred by sub-regulation (1) of regulation 3 of the said regulations.

THE SCHEDULE

Serial No.	No. and title of the Indian Standard amended	No. & date of Gazette Notification in which the establishment of the Indian Standard was notified	No. & date of the Amendment	Brief particulars of the Amendment	Date from which the Amendment shall have effect																								
(1)	(2)	(3)	(4)	(5)	(6)																								
1	IS : 411-1953 Specification For Titanium Dioxide For Paints.	S.R.O. 658 dated 26 March 1955.	No. 1 August 1963	All quantities and dimensions in this standard have now been given in metric system.	1 November 1963																								
2	IS : 556-1960 Specification For Leclanche Type Radio Batteries (Revised)	S.O. 1463 dated 11 June 1960.	No. 2 July 1963	(Clause 0.5)—Delete the existing clause and re-number the subsequent clauses of the Foreword accordingly. (Table VI) (a) Col. 1—Delete the asterisk against Reference Numbers 'B ₁ ' and 'B ₂ '. (b) Cols. 3 to 6—Delete the words '(under consideration)' against Reference Numbers 'B ₁ ' and 'B ₂ ' and substitute the following : <table><tr><th>LOAD RESISTANCE</th><th>END-POINT VOLTAGE</th><th colspan="2">RATED LIFE, Min</th></tr><tr><td></td><td></td><th>Initial</th><th>Delayed</th></tr><tr><td>(3)</td><td>(4)</td><td>(5)</td><td>(6)</td></tr><tr><td>Ohms</td><td>volts</td><td>hr</td><td>hr</td></tr><tr><td>4 800</td><td>45.0</td><td>30</td><td>*25</td></tr><tr><td>5 000</td><td>60.0</td><td>23</td><td>*19</td></tr></table>	LOAD RESISTANCE	END-POINT VOLTAGE	RATED LIFE, Min				Initial	Delayed	(3)	(4)	(5)	(6)	Ohms	volts	hr	hr	4 800	45.0	30	*25	5 000	60.0	23	*19	1 November 1963
LOAD RESISTANCE	END-POINT VOLTAGE	RATED LIFE, Min																											
		Initial	Delayed																										
(3)	(4)	(5)	(6)																										
Ohms	volts	hr	hr																										
4 800	45.0	30	*25																										
5 000	60.0	23	*19																										
				(c) Substitute the following for the existing footnote in the table : " *In the case of batteries with Reference Numbers 'B ₁ ' and 'B ₂ ' the storage period for delayed life test shall be three months."																									

(1)	(2)	(3)	(4)	(5)	(6)
				(Sub-clause 8.5.1)—Substitute the following for the existing sub-clause :	
				"8.5.1 Storage—Unless specified otherwise, 'A' and 'B' batteries shall be stored for a period of six months under standard atmospheric conditions (see 8.1.2)."	
3. IS : 1335-1959 Methods For the Direct Determination of Alumina In Refractory Materials (Tentative)	S.O. 74 dated 9 January 1960	No. 1 August 1963		(Clause 0.2 lines 10 and 11)—Substitute 'IS : 1527-1960 Methods of Chemical Analysis of Fireclay and Silica Refractory Materials' for '*IS : 485-1953 Methods for Sampling and Testing of Refractory Materials (Tentative)'.	1 Nov. 1963
				(Clause 0.2)—Delete the footnote.	
				(Clause 0.4)—Substitute the following for the existing clause :	
				'0.4 This standard is supplementary to IS : 1527-1960, which forms a necessary adjunct to this standard.'	
				(Clause 0.4)—Delete the foot note.	
				(Clause 0.5)—Add the following at the end of the clause :	
				'IS : 1527-1960 METHODS OF CHEMICAL ANALYSIS OF FIRECLAY AND SILICA REFRACTORY MATERIALS	
				IS : 1528-1962 METHODS OF SAMPLING AND PHYSICAL TESTS FOR REFRACTORY MATERIALS'	
				(Clause 1.1, line 1)—Substitute 'IS : 1527-1960' for '*IS : 485-1953'.	
				(Clause 2.1)—Substitute the following for the existing clause :	
				'2.1 The material shall be sampled in accordance with the procedure laid down in IS : 1528-1962.'	
4. IS : 1981-1962 Specification For Animal Casings For Sausages	S.O. 1402 dated 12 May 1962	No. 1 October 1963		(i) Title—Delete the words 'FOR SAUSAGES'. (ii) First sentence of clause 0.2 has been substituted by a new one.	1 Nov. 1963
				(iii) Clause 0.7, line 2—Delete the words 'for sausages'.	

- (iv) The existing clause 3.9 has been substituted by a new one.
- (v) The existing clause 5.1 has been substituted by a new one.
- (vi) Sub-sub-clause 6.4.1.1 (a), line 1—Delete the word 'uniform'.
- (vii) Sub-sub-clause 6.4.1.1 (d), line 4—Substitute the words ' ; or as agreed to ' for the words 'subject to an agreement'.
- (viii) Sub-sub-clause 6.4.1.2, lines 1 and 4—Substitute 'Grade 2' for 'grade 1'.
- (ix) Sub-sub-clause 6.4.1.3—Introduce a new sub-sub-clause after 6.4.1.2 reading as follows :

'6.4.1.3 Sheep casings, Grade 3—This grade shall be the same as Grade 2 except that nodules may be permitted.'

- (x) Sub-sub-clause 6.4.2.1—Add the words '*runners and middles*' after the words '*Dried cattle casings*'.
- (xi) Sub-sub-clause 6.4.2.1—Add the following definition for Grade 3 (Shorts) after Grade 2 :

'(d) Grade 3 (shorts)—This grade shall include short pieces of any or all of the above grades.'
- (xii) The existing Sub-sub-clause 6.4.2.1 (d) calibration, has been substituted by a new one.
- (xiii) Sub-sub-clause 6.4.2.2—Add the words '*runners and middles*' after the words '*Salied cattle casings*'.
- (xiv) Sub-sub-clause 6.4.2.2 (c), line 3—Substitute the words 'or as agreed to' for the words 'subject to agreement'.

(1)	(2)	(3)	(4)	(5)	(6)
				(xv) The existing sub-clause 6.4.3 has been substituted by a new one. (xvi) Clause A-1 1, lines 1 and 2—Delete the words 'damp air'. (xvii) Appendix B, heading—Delete the words 'FOR SAUSAGES'.	
5	IS:1992-1962 Specification For Lead Plating	S.O. 1100 dated 14 April, 1962	No. 1 September, 1963	(i) The existing clause 7.1 has been substituted by a new one. (ii) Second sentence of clause D-2.1 has been substituted by a new one.	1 Nov. 1963

Copies of this amendment Slips are available, free of cost, with the Indian Standards Institution, Manak Bhavan, 9 Mathura Road, New Delhi-1, and also at its Branch Offices at (i) 232 Dr. Dadabhai Naoroji Road, Bombay-1, (ii) Third Floor, Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan, 54 General Patters Road, Madras-2, and (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:5]

S.O. 3070.—In pursuance of sub-regulations (2) and (3) of regulation 3 of the Indian Standards Institution (Certification Marks) Regulations, 1955, as amended in 1961 and 1962, the Indian Standards Institution hereby notifies that the Indian Standard(s), particulars of which are given in the Schedule hereto annexed, have been established during the period 8 October to 15 October 1963.

THE SCHEDULE

Sl. No.	No. and Title of the Indian Standard Established	No. and Title of the Indian Standard or Standards, if any, superseded by the new Indian Standard	Brief Particulars
1	2	3	4
1	IS: 1477 (Part-II)—1963 Code of Practice For Finishing of Ferrous Metals in Buildings: Painting And Allied Finished. Part II Schedules and Equipment.	..	This standard lays down schedules for finishing ferrous metals in buildings with paints or other organic coatings. It also covers the use of tools and equipment in the work (Price Rs. 6 00)
2	IS: 2414—1963 Specification For Bicycle Tyres	..	This standard covers the dimensions and quality requirements of four sizes of bicycle tyres (Price Rs. 2 00)
3	IS: 2415—1963 Specification For Bicycle Rubber Tubes	..	This standard covers the dimensions and quality requirements of bicycle rubber tubes. (Price Rs. 1 50)
4	IS: 2426—1963 Test Chart for Bench Drilling Machines	..	This standard prescribes the limits of accuracies for bench drilling machines. (Price Rs. 2 00)
5	IS: 2441—1963 Code of Practice for Fixing Ceiling Coverings	..	This code covers fixing the following types of ceiling coverings underneath flat roofs, hipped roofs, gabled roofs, lean-to roofs of different types, or timber or steel and other metal trussed frames: (a) Wooden planks or boards, (b) Gypsum plaster boards, (c) Plywood and blockboards, (d) Fibre building boards, (e) Asbestos cement building boards, and (f) Particle boards. (Price Rs. 4 50)
6	IS: 2443—1963 Specification For Coriander, Whole	..	This standard prescribes the requirements for coriander (<i>Coriandrum sativum</i> L. (<i>Dhania</i>), in the whole form. (Price Rs. 1 50)
7	IS: 2444—1963 Specification For Coriander Powder	..	This standard prescribes the requirements for coriander (<i>Dhania</i>) powder. (Price Rs. 1 50)
8	IS: 2445—1963 Specification For Chilli Powder	..	This standard prescribes the requirements for chilli (<i>Lal mirchi</i>) powder. (Price Rs. 1 50)
9	IS: 2446—1963 Specification For Turmeric Powder	..	This standard prescribes the requirements for turmeric (<i>Haladi</i>) powder. (Price Rs. 1 50).

1	2	3	4
10	IS:2447—1963 Specification For Cumin, Whole	..	This standard prescribes the requirements for cumin, <i>Cuminum cyminum</i> L. (<i>Safed jeera</i>) in the whole form. (Price Rs. 1.50).
11	IS:2452—1963 Specification For Hawser-Laid Cotton Rope	..	This standard prescribes the requirements for hawser-laid cotton rope of 25 to 76 mm size. (Price Rs. 4.50).
12	IS:2468—1963 Specification For Whiting For Putty	..	This standard prescribes the requirements and methods of test for the material commercially known as whiting used for making putty for use on wooden and metal frames. (Price Rs. 1.50).
13	IS:2470 (Part I)—1963 Code of Practice For Design and Construction of Septic Tanks Part I Domestic Purposes	..	This code lays down recommendations for the design, layout, construction and maintenance of septic tanks and includes methods of treatment and disposal of tank effluent. It is applicable to houses, flats and such other residential buildings, where the number of users does not exceed 50 persons. Capacities and sizes required for 5, 10, 15, 20 and 50 persons are recommended to facilitate selection of sizes of septic tanks. (Price Rs. 5.00).
14	IS:2475—1963 Specification For Smoked Bacon	..	This standard prescribes the requirements and the methods of test for smoked bacon, prepared from pork bellies (streaky bacon, and loins (back bacon). (Price Rs. 2.50).
15	IS:2476—1963 Specification For Ham	..	This standard prescribes the requirements and the methods of test for ham. (Price Rs. 1.50).
16	IS:2477—1963 Specification For Hand Rotary Duster, Shoulder Mounted Type	..	This standard prescribes the requirements and the methods of testing the performance of a hand rotary duster, shoulder mounted type, used for dusting pesticides in powder form on agricultural crops and in warehouses. (Price Rs. 2.50).
17	IS:2482—1963 Specification For Water Suction Hose of Rubber, Light Duty	..	This standard prescribes the requirements and methods of test for water suction hose of rubber, light duty, with woven cotton fabric and wire reinforcement. (Price Rs. 1.50).
18	IS:2483—1963 Specification For Ticket Board	..	This standard prescribes the requirements and the methods of test for board, white or coloured, simplex, duplex and triplex, used for tickets. (Price Rs. 1.50).

Copies of these Standards are available, for sale, with the Indian Standards Institution, Manak Bhavan, 9 Mathura Road, New Delhi-1, and also at its branch offices at (i) 232 Dr. Dadabhoy Naoroji Road, Fort Bombay-1, (ii) Third Floor, 11 Sooterkin Street, Calcutta-13, (iii) Second Floor, Sathyamurthi Bhavan 54, General Patters Road, Madras-2, (iv) 14/69 Civil Lines, Kanpur.

[No. MD/13:2]

S.K. SEN,
Head of the Certification Marks Department.

MINISTRY OF INTERNATIONAL TRADE

New Delhi, the 24th October, 1963

S.O. 3071.—The Central Government, having considered in consultation with the Forward Market Commission, the application for recognition made under section 5 of the Forward Contracts (Regulation) Act, 1952, (74 of 1952), by The Madhya Pradesh Commercial Exchange Limited, Akola and being satisfied that it would be in the interest of the trade and also in the public interest so to do, hereby grants, in exercise of the powers conferred by section 6 of the said Act, recognition to the said Exchange for a period of three years ending the 1st November, 1966, in respect of forward contracts in groundnut oil.

2. The recognition hereby granted is subject to the condition that the said Exchange shall comply with such directions as may from time to time be given by the Forward Markets Commission.

[No. 34(5)-Com(Genl) (FMC)/63.]

M. L. GUPTA, Under Secy.

ORDERS

EXPORT TRADE CONTROL

New Delhi, the 2nd November, 1963

S.O. 3072.—In exercise of the powers conferred by Section 3 of the Imports and Exports (Control) Act, 1947, (18 of 1947), the Central Government hereby makes the following further amendments to the Exports (Control) Order, 1962, namely:—

(i) In Part A of Schedule I to the said Order, for entry (i) of item 2(a), the following entry shall be substituted:—

“(i) Beryl other than gem variety,”

(ii) In Part B of Schedule I to the said Order, after item 39, the following item shall be added:—

“40. Gem variety of Beryl.”

[No. E.(C)O, 1962/AM(35).]

S.O. 3073.—In exercise of the powers conferred by section 4A of the Imports and Exports (Control) Act, 1947, (18 of 1947), the Central Government hereby makes the following further amendment to the Exports (Control) Order, 1962, namely:—

After entry (iii) of sub-clause (e) of clause 4(2) of the said Order, the following entry shall be inserted:—

“(iv) Flue cured virginia tobacco.”

[No. E(C)O, 1962/AM(36).]

MELA RAM BHARDWAJ, Under Secy.

MINISTRY OF FOOD & AGRICULTURE

(Department of Agriculture)

New Delhi, the 17th October 1963

S.O. 3074.—The following draft rules which the Central Government proposed to make, in exercise of the powers conferred by section 3 of the Agricultural Produce (Grading and Marking) Act, 1937, (1 of 1937), is published, as required by the said section for the information of all persons likely to be affected thereby and notice is hereby given that the said draft will be taken into consideration on or after 10th November, 1963.

Any objection or suggestion which may be received from any person with respect to the said draft before the date specified, will be considered by the Central Government.

DRAFT RULES

1. **Short title and Application.**—(1) These rules may be called the Water Chestnuts Grading and Marking Rules, 1963.

(2) They shall apply to water chestnuts (Trapa bispinosa) produced in India.
(Singhara)

2. **Definitions.**—(1) In these rules,

(a) 'Agricultural Marketing Adviser' means the Agricultural Marketing Adviser to the Government of India;

(b) 'Schedule' means a Schedule appended to these rules.

3. **Grade Designations.**—The grade designations to indicate the quality of water chestnuts shall be as set out in column 1 of Schedule II.

4. **Definition of Quality.**—The quality indicated by the grade designation shall be as set out against each grade designation in Schedule I.

5. **Grade Designation Marks.**—The grade designation mark shall consist of a label specifying the grade designation and bearing a design (consisting of an outline map of India with the word AGMARK and the figure of rising sun, with the words, 'Produce of India' and 'भारतीय उत्पाद'), resembling the one as set out in Schedule I.

6. **Method of Marking.**—(1) The grade designation mark shall be securely affixed to each container in a manner approved by the Agricultural Marketing Adviser.

(2) In addition the grade designation mark, each container shall be clearly marked with such particulars and in such manner as may be specified by the Agricultural Marketing Adviser.

(3) An authorised packer may, after obtaining the prior approval of the Agricultural Marketing Adviser, mark his private trade mark on a container, in a manner approved by the aforesaid officer, provided that the private trade mark does not represent quality or grade of the water chestnuts different from that indicated by the grade designation mark affixed to the container in accordance with these rules.

7. **Method of packing.**—(1) Only jute bags in sound, clean and dry condition shall be used for packing of water chestnuts. They shall be free from any insect infestation or fungus contamination and also free from any undesirable smell.

(2) Each container shall be securely closed and sealed in a manner approved by the Agricultural Marketing Adviser.

(3) Each package shall contain water chestnuts of one grade designation only.

8. **Special conditions of Certificate of Authorisation.**—In addition to the conditions specified in rule 4 of the General Grading and Marking Rules, 1937, the following shall be the conditions of every Certificate of Authorisation issued for the purpose of these rules, namely:—

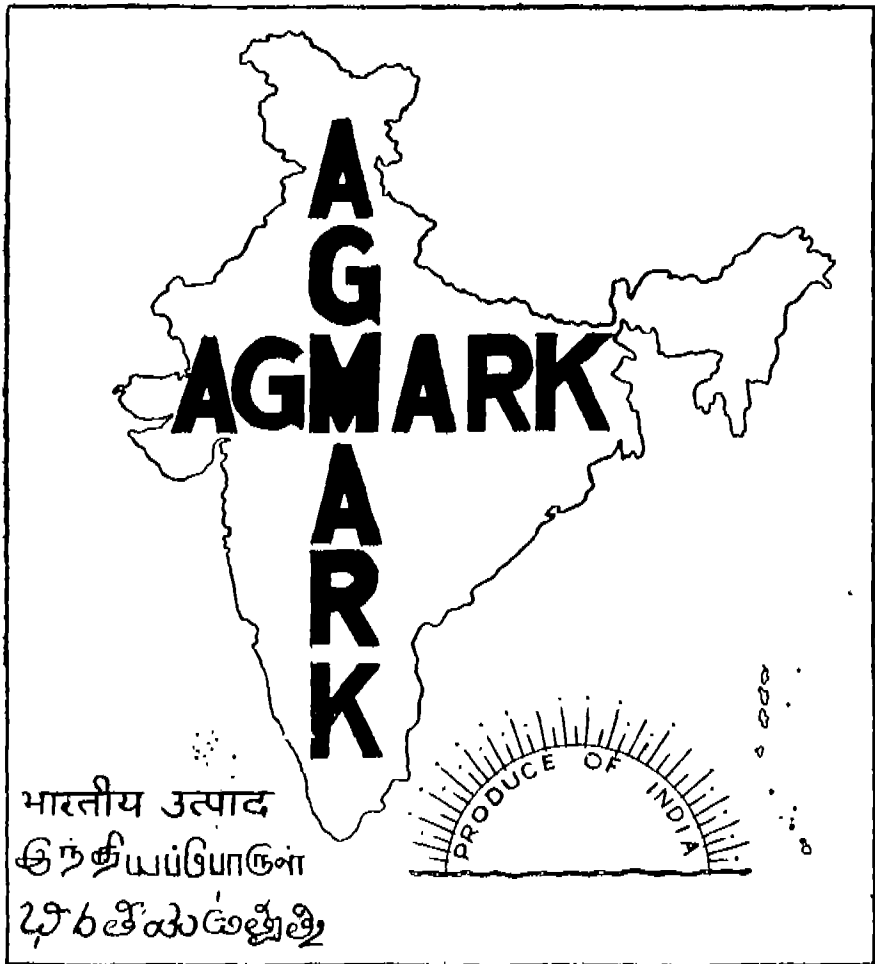
(1) An authorised packer shall make such arrangements for testing of water chestnuts as may be prescribed by the Agricultural Marketing Adviser.

(2) An authorised packer shall provide such facilities to the Inspecting Officers duly authorised by the Agricultural Marketing Adviser for sampling, testing and such other matters as may be specified by the Agricultural Marketing Adviser.

SCHEDULE I

(See rule 5)

Design for the Grade designation mark.



NOTE.—The Tamil and Telugu words will not occur in the labels in case where commodities are graded for the purpose of export.

SCHEDULE II

(See rules 3 and 4)

Grade Designations and Definition of Quality of Water Chestnuts.

Grade designation	Special Characteristics							General Characteristics
	Maximum limits of Tolerance							
	Foreign matter % by weight	Broken fragnuts % by weight	Damaged nuts % by weight	Discoloured nuts % by weight	Immature and shrivelled nuts % by weight	Weevilled nuts % by weight	Minimum weight of 100 nuts in gms	
1	2	3	4	5	6	7	8	9
Grade I (Special)	0.5	3.0	0.0	1.0	0.75	0.0	300	Water Chestnuts shall be the dried nuts of the plant <i>Trapa bispinosa</i> (commonly known as Singhara) with moisture not exceeding 10 per cent by weight. They shall be free from moulds or insect infestation and any undesirable smell or flavour.
Grade II (Good)	0.75	4.0	1.0	4.0	1.5	2.0	285	
Grade III (Fair)	0.75	5.0	2.0	6.0	3.0	6.0	270	

Explanation: For the purpose of this Schedule—

- (1) Foreign matter includes Dust, dirt, stones, lumps of earth, chaff, stem, straw or any other impurity.
- (2) Any pieces of nuts which are less than three fourths of whole nut shall be treated as broken fragnuts, and a nut which is more than three fourths shall be treated as a whole nut.
- (3) Nuts which are internally damaged affecting the quality of the nuts shall be treated as damaged nuts.
- (4) Nuts with deviation in colour from that of the normal and which are not internally damaged and discoloured affecting the quality of the nuts shall be treated as discoloured nuts.
- (5) Nuts that are partially or wholly bored or eaten by weevil or other grain insects shall be treated as weevilled nuts.
- (6) Nuts that are not properly developed shall be treated as immature and shrivelled nuts; and
- (7) Weight of 100 nuts shall be determined by picking up 100 whole nuts at random from different layers of the containers or heap.

[No. F. 17-15/63-AM]

V.S. NIGAM, Under Secy.

(Department of Agriculture)

New Delhi, the 22nd October 1963

S.O. 3075.—In exercise of the powers conferred by the proviso to article 309 of the Constitution, the President hereby makes the following rules to amend the Andamans Forest Department (Class I and Class II—Gazetted posts) Recruitment Rules, 1963, namely:—

1. These rules may be called the Andamans Forest Department (Class I and Class II Gazetted posts) Recruitment Amendment Rules, 1963.

2. In the Schedule to the Andamans Forest Department (Class I and Class II Gazetted posts) Recruitment Rules, 1963—

- (i) Against S. No. 1 pertaining to the post of Chief Conservator of Forests for the entry "Rs. 1300—60—1600 for non-IFS officers" in column 4, the entry "1600—100—1800 (for non-IFS officers)" shall be substituted;
- (ii) Against S. No. 2 pertaining to the post of Conservator of Forests, for the entry "1100—50—1400" in column 4, the entry "1300—60—1600" shall be substituted.

[No. F. 6-72/58-F-II.]

V. D. GANGAL, Dy. Secy.

MINISTRY OF STEEL & HEAVY INDUSTRIES

(Department of Heavy Industries)

New Delhi, the 18th October 1963

S.O. 3076.—Under Clause 2(a) of the Motor Cars (Distribution and Sale) Control Order, 1959, the Central Government hereby appoint Shri P. R. Nayak, Deputy Secretary, Department of Heavy Industries, Ministry of Steel & Heavy Industries, as Controller of Motor Cars for the purposes of the said Order, *vice* Shri Harbans Singh.

[No. A.E. Ind. 8(10)/63.]

S.O. 3077.—Under clause 2(a) of Commercial Vehicles (Distribution and Sale) Control Order, 1963, the Central Government hereby appoint Shri P. R. Nayak, Deputy Secretary, Department of Heavy Industries, Ministry of Steel and Heavy Industries, as Controller of Commercial Vehicles for the purposes of the said Order, *vice* Shri Harbans Singh.

[No. A. E. Ind. 15(17)/63.]

R. V. RAMAN, Jt. Secy.

(Department of Iron & Steel)

New Delhi, the 22nd October 1963

S.O. 3078/ESS. COMM/IRON AND STEEL-2(c)/AM(108).—In exercise of the powers conferred by sub-clause (c) of clause 2 of the Iron and Steel (Control) Order, 1956, the Central Government hereby directs that the following further amendment shall be made to the notification of the Government of India, in the

Ministry of Steel, Mines and Fuel, No. S.R.O. 2041/ESS. COMM/IRON AND STEEL-2(c) dated the 11th June, 1957, as amended from time to time, namely:—

In the Schedule annexed to the said notification, after the entry North East Frontier Agency, the following shall be added, namely:—

Designation of Officer(s)	Clauses under which they are authorised
Goa, Daman and Diu	
Director of Industries, Goa.	4, 5, 10, 11, 12 (1), 12 (2), 14 (1), 18, 20, 22, 23, 24 (b), 24 (c), 24 (d), 26 (1) and 28. Powers under Clause 28 may be exercised in respect of all categories of persons but powers under other clauses should be exercised with the exclusion of the following:— (a) Registered Producers. (b) Controlled Stockholders. (c) Controlled sources other than those functioning as Scrap Merchants.

[No. SC(A)-1(59)/62.]

A. N. RAJAGOPALAN, Under Secy.

(Department of Heavy Industries)

ORDER

New Delhi, the 23rd October 1963

S.O. 3079/IDRA/18G/63.—In exercise of the powers conferred by Section 18-G of the Industries (Development and Regulation) Act, 1951 (65 of 1951), the Central Government hereby makes the following Order further to amend the Cement Control Order, 1961, namely:—

1. This Order may be called the Cement Control (Eighth Amendment) Order, 1963.

2. In the Schedule to the Cement Control Order, 1961, in the Table below paragraph (C) for the entry against Serial No. 3, the following entry shall be substituted, namely:—

Name of producer	Additional Amount for metric tonne.	Date from which the Additional Amount may be charged.
"3. M/s. Saurashtra Cement & Chemical Industries Ltd., Ranavav (Gujarat).	Rs. 5.65	1st June, 1963."

[No. 8-34/62-CEM.]

P. R. NAYAK, Dy. Secy.

MINISTRY OF TRANSPORT

(Directorate General of Shipping)

(MERCHANT SHIPPING)

Bombay, the 21st September, 1963

S.O. 3080.—In exercise of the powers conferred by Sub-section (2) of Section 8 of the Merchant Shipping Act, 1958 (44 of 1958), read with the Order of the

Government of India in the Ministry of Transport and Communications No. S.O. 771, dated the 7th March, 1962, the Director General of Shipping hereby appoints Capt. B. D. Kataria, Nautical Surveyor as the Officer who shall be in-charge of the office of the Mercantile Marine Department at the port of Bedi Bunder, Jamnagar.

[No. 139-SH(65)/62.]

S.O. 3081.—In exercise of the powers conferred by Sub-section (1) of Section 9 of the Merchant Shipping Act, 1958 (44 of 1958), read with the Order of the Government of India in the Ministry of Transport and Communications No. S.O. 771, dated the 7th March, 1962, the Director General of Shipping hereby appoints with effect from the 20th May, 1963, the officers specified in the second column of the Schedule annexed hereto to be surveyors for the purposes of the said Act at the Port specified in the corresponding entry in the first column of the said Schedule.

SCHEDULE

Port (1)	Officers (2)
Bedi Bunder, Jamnagar	Capt. B.D. Kataria, Nautical Surveyor attached to the Office of the Mercantile Marine Deptt., Jamnagar. Shri N. Chakraborty, Engineer and Ship Surveyor, attached to the office of the Mercantile Marine Department, Jamnagar.

[No. 139-SH(65)/62.]

NAGENDRA SINGH,

Director General of Shipping.

MINISTRY OF COMMUNITY DEVELOPMENT AND COOPERATION

(Deptt. of Cooperation)

New Delhi, the 19th October, 1963.

S.O. 3082.—In exercise of the powers conferred by Sub-section (i) of Section 4, of the Multi-Unit Co-operative Societies Act, 1942 (6 of 1942), and in supersession of the notification of the Government of India, in the Ministry of Community Development and Cooperation (Department of Cooperation) No. 7-9/59-Coop. I dated 20th June, 1959, the Central Government hereby appoint Shri N. P. Chatterji, Joint Secretary in the Ministry of Community Development and Cooperation as the Central Registrar of Co-operative Societies.

[No. 3-40/60-CT.]

R. MAZUMDAR, Dy. Secy.

MINISTRY OF WORKS, HOUSING & REHABILITATION

(Department of W. & H.)

New Delhi, the 21st October, 1963

S.O. 3083.—For "8th May, 1959" appearing in line 5 in the Ministry of Works, Housing and Supply (Department of W.H. & S.) Notification S.O. No. 3392, dated the 1st November, 1962, published in the Gazette of India, Part II, Section 3, Sub-section (ii) on the 10th November, 1962, may be read as "7th May, 1959".

[No. F. 32/25/63-Acc. II.]

New Delhi, the 22nd October, 1963.

S.O. 3084.—In exercise of the powers conferred by section 3 of the Public Premises (Eviction of Unauthorised Occupants) Act, 1958 (32 of 1958) and in supersession of Government of India, Ministry of Works, Housing and Supply Notifications No. S.O. 3150, dated the 21st December, 1960 and No. S.O. 1597, dated the 21st May, 1962, the Central Government hereby appoints the officer mentioned in column 1 of the table below, being a gazetted officer of Government, to be estate officer for the purposes of the said Act who shall exercise the powers conferred, and perform the duties imposed, on estate officer by or under the said Act within the local limits of his jurisdiction in respect of the public premises specified in column 2 of the said table.

THE TABLE.

Designation of officer. 1	Categories of public premises and local limits of Jurisdiction. 2
Shri C. S. Rao, Deputy Director of Administration Directorate General, All India Radio, New Delhi.	Premises at High Power Transmitters, Delhi, Broadcasting House and Akashvani Bhavan on parliament Street, New Delhi under the administrative control of the Directorate, General, All India Radio situated within the local limits of his jurisdiction.

[F. No. 32/21/63-ACC. II.]

S. L. VASUDEVA, Under Secy.

(Department of Rehabilitation)

(Office of the Chief Settlement Commissioner)

New Delhi, the 23rd October, 1963.

S.O. 3085.—In pursuance of sub-rule (2) of rule II, clause (b) of sub-rule (2) of rule 14, and sub-rule (1) of rule 23 of the Central Civil Services (Classification, Control and Appeal) Rules 1957, the President hereby makes the following further amendments in the notification of the Government of India in the late Ministry of Rehabilitation No. S.R.O. 632, dated the 28th February, 1957, as amended from time to time, namely:—

In the Schedule to the said notification:—

- (1) In part II relating to General Central Service, Class III, for the heading "Offices of the Regional Settlement Commissioners and their sub-offices" and the entries thereunder, the following heading and the entries shall be substituted, namely:—

1	2	3	4	5
"Offices of the Regional Settlement Commissioners, Assistant Settlement Commissioners, Settlement Officers and Assistant Settlement Officers.				
All Posts.	Regional Settlement Commissioners. Where there is no such Officer, Assistant Settlement Commissioner in Charge of Administration.	Regional Settlement Commissioner. Where there is no such Officer, Assistant Settlement Commissioner in charge of administration.		Chief Settlement Commissioner.

- (2) in Part III relating to General Central Service, Class IV, for the heading, "Offices of the Regional Settlement Commissioner and their sub-offices" the heading "Offices of the Regional Settlement Commissioners,

Assistant Settlement Commissioners, Settlement Officers and Assistant Settlement Officers in the Region", shall be substituted.

[No. 51/7/63-CSC(AV).]

KANWAR BAHADUR,
Settlement Commissioner and *Ex-Officio*,
Dy. Secy. to the Govt. of India.

MINISTRY OF LABOUR AND EMPLOYMENT

New Delhi, the 19th October 1963

S.O. 3086.—In exercise of the powers conferred by section 14 of the Maternity Benefit Act, 1961 (53 of 1961), the Central Government hereby appoints the officers of the Coal Mines Welfare Organisation specified in column (2) of the Table below as Inspectors for Coal Mines for the areas specified against each in column (3) thereof, namely:—

Sl. No. (1)	Name and Designation (2)	Jurisdiction (3)
1.	Miss S. Mathur, Assistant Inspector, Labour Welfare.	All coal mines situated in the area of Bihar Coalfield East of Kari Jore and North of Damodar River plus Sitanala, Amlabad, Kendwadiah and Bhagaband coal mines.
2.	Miss S. Kohli, Junior Assistant Inspector, Labour Welfare.	All coal mines situated in the area of Bihar Coalfield and bounded on the West by the Jore running along the Western boundary of West Mudidih, Kalithan Angarpathra and Angarpathra coal mines upto its junction with Katri Jore and then by Katri Jore upto its junction with Damodar River but minus the coal mines included in the area specified against Sl. No. 1.
3.	Shri M. R. Nagar, Junior Assistant Inspector, Labour Welfare.	All coal mines situated in the area of Bihar Coalfield and bounded on the West by an imaginary line drawn straight from the Westernmost boundary of Central Ganespur coal mine on the North upto the junction of Khudia Jore and Katri Jore on the South. Khas Dharmaband, Sindih and all other coal mines falling on this imaginary line on the Northside of Road Rajganj-Kharkharee and approachable from this road will be in this Zone.
4.	Shri H. M. Singh, Assistant Inspector, Labour Welfare.	All coal mines situated in the area of Bihar coalfield on the West of the area specified against Sl. No. 3 and all coal mines in Giridih Sub-Division.
5.	Shri B. S. Bhaduria, Assistant Inspector, Labour Welfare.	All coal mines situated in the Coalfield known as Mugma Coalfield plus the coal mines situated in Jainty, Saharjuri and Rajmahal coalfields in the district of Santhal Paraganas.
6.	Shri J. N. Pandey, Junior Assistant Inspector, Labour Welfare.	All coal mines situated in the Coalfield known as Bokaro Coalfield.
7.	Shri A. K. Mitra, Assistant Inspector, Labour Welfare.	All coal mines situated in Ramgarh-Karapura area plus the coal mines situated in Ranchi and Daltonganj Districts.

Sl. No. (1)	Name and Designation (2)	Jurisdiction (3)
8.	Shri Adya Saran Singh, Assistant Welfare Organiser.	All coal mines situated in Oriss.
9.	Shri D. Kumar, Junior Assistant Inspector, Labour Welfare.	All coal mines situated in West Bengal Raniganj Coalfield on the West of Rangakanali-Samdi-Asansol Railway Station Road and from there on the West of Railway line running from Asansol Railway Station to Ramkanali via Burnpur.
10.	Shri L. P. Sinha, Assistant Inspector, Labour Welfare.	All coal mines situated in West Bengal Raniganj Coalfield on the East of the area specified against Sl. No. 9 South of River Adjai and West of an imaginary straight line drawn from the extreme left boundaries of Samla and Samla Chhatiganda coal mines on the North to the junction of Jamuria road with Grand Trunk Road on the South and from there to Radhamadhabpur coal mines (near Damodar River) on the South. The coal mines of Radhamadhabpur, Kuardih, Ratibaty, Akhalpur and Mondalpur coal mines situated on or along this imaginary line will be in this Zone.
11.	Shri S. S. Saneja, Junior Assistant Inspector, Labour Welfare.	All coal mines situated in Bankura District and all other coal mines of West Bengal Raniganj Coalfield not included in the areas specified against Sl. Nos. 9, 10 and 12.
12.	Shri R. C. Ram, Assistant Inspector, Labour Welfare.	All coal mines North of Adjai River except the coal mines included in the areas specified against Sl. No. 5 of Bihar Coalfield and all coal mines situated in West Bengal Raniganj Coalfield North of an imaginary straight line drawn from Tepsol Railway Station to the Northern-most boundaries of Madhujore and Moira coal mines and not included in other zones. Coal mines situated on or along this imaginary line will be in this Zone.
13.	Shri J. N. Rai, Junior Assistant Inspector, Labour Welfare.	Coal mines in Korea Coalfield.
14.	Shri N. P. Singh, Welfare Organiser	All coal mines in Vindhya Pradesh Coalfield as well as Korba field.
15.	Shri H. G. Lal Agarwal, Assistant Welfare Organiser.	All coal mines in Chanda Coalfield and also in Kamptee coal mine.
16.	Shri N. P. Sharma, Assistant Welfare Organiser.	All coal mines in Bellampalli area in Andhra Pradesh.
17.	Shri Serajul Haq, Assistant Welfare Organiser.	Coal mines Kothagudem area.
18.	Major Rampat, Deputy Coal Mines Welfare Commissioner.	All coal mines throughout India.
19.	Miss S. K. Manik, Welfare Inspector	All coal mines in West Bengal Raniganj Coalfield.
20.	Shri P. R. Khandekar, Welfare Inspector	All coal mines in Bihar Coalfield.
21.	Shri Shyam Chandra, Welfare Inspector	All coal mines in Andhra Pradesh Coalfield.
22.	Shri M. R. Kurrey, Welfare Inspector	All coal mines in Madhya Pradesh Coalfield.

S.O. 3087.—In exercise of the powers conferred by section 14 of the Maternity Benefit Act, 1961 (53 of 1961), the Central Government hereby appoints the officers of the office of the Chief Inspector of Mines specified in column (2) of the Table below as Inspectors for mines other than coal mines for areas specified against each in column (3) thereof, namely:—

Sl. No.	Designation	Jurisdiction
(1)	(2)	(3)
1.	Inspector of Mines (Medical)	Whole of India.
2.	Junior Labour Inspectors of Mines	Whole of India.
3.	Assistant Inspectors of Mines (Medical)	Whole of India.

[No. F. 12(9)(II)/63-HI.]

New Delhi, the 24th October 1963

S.O. 3088.—In exercise of the powers conferred by section 73F of the Employees State Insurance Act, 1948 (34 of 1948), the Central Government, having regard to the location of the factory in a sparse area, exempts the factory situate in the area in the State of Mysore mentioned in the Schedule below from the payment of the employers' special contribution leviable under Chapter V A of the said Act until the enforcement of the provisions of Chapter V of that Act in that area.

SCHEDULE

S. No.	Name of the District	Name of the area	Name of the factory
1.	South Kanara	Mulki	M/s. Mulki Printing Press.

[No. F. 6(118)/63-HI.]

O. P. TALWAR, Under Secy.

New Delhi, the 21st October 1963

S.O. 3089.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Calcutta, in the industrial dispute between the employers in relation to the Bhanora Miners' Hostel of Messrs Equitable Coal Company Limited and their workmen, which was received by the Central Government on the 14th October, 1963.

CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL, CALCUTTA

REFERENCE No. 6 OF 1963

PARTIES:

Employers in relation to the Bhanora Miners' Hostel of Messrs Equitable Coal Company Limited.

AND

Their workmen.

PRESENT:

Shri L. P. Dave.—*Presiding Officer.*

APPEARANCES:

On behalf of Employers.—Shri S. S. Mukherjee, Advocate.

On behalf of Workmen.—Shri N. R. Roy, Advocate.

STATE: West Bengal.

INDUSTRY: Coal Mines.

AWARD

The Government of India, Ministry of Labour and Employment, by their order No. 6/14/63-LRII, dated 19th July, 1963, have referred the industrial dispute existing between the employers in relation to Bhanora Miners' Hostel of Messrs Equitable Coal Company Limited and their workmen in respect of the question whether the management was justified in transferring Sarvashri Ram Samuj and Rabbey Ali from their Bhanora Colliery to the Jamuria A/B, Pits and the Bejdih Colliery respectively and if not, to what relief they are entitled, for adjudication to this Tribunal.

2. The dispute relates to the transfer of two workmen named Ram Samuj and Rabbey Ali. Admittedly, these two workmen are what is known as "Gorakhpuri" labour. They were recruited through the Coal Field Recruiting Organisation. It is not in dispute that during the Second World War a scheme of recruiting labour for working in the coal fields was framed and the labour so recruited were known as Gorakhpuri labour. These workmen were to reside in a camp. (It appears that the conditions of service of these workmen were at first different from the other workmen, but the conditions now are the same.) The camps which were meant originally for Gorakhpuri labour only are now thrown open to all workmen and are known as Miners' hostels. They are under the management of the collieries concerned. These facts are not in dispute.

3. By an order dated 16th March, 1963, the Chief Mining Engineer of Equitable Coal Company Ltd., transferred these two workmen from the Bhanora Colliery, the first to Jamuria A/B pits colliery and the second to Bejdih colliery and further ordered that the transfer would take effect as early as possible but not later than 25th March, 1963. The workmen were to stay at the Miners' hostel of the colliery where they were transferred. On 28th March, 1963, the Union wrote a letter to the Manager of the Bhanora colliery about this transfer, contending *inter alia* that the workmen were being transferred as they were active members of the Union among the loaders and as such the Manager wanted to get rid of them from the colliery and requesting the Manager to reconsider his decision. The Union also wrote a letter to the Conciliation Officer on 19th April, 1963. The two workmen wrote letters to the Manager on 30th April, 1963. The Union again wrote to the Conciliation Officer on 21st May, 1963. In the meanwhile, the Manager had written to the workmen concerned on 20th May, 1963, stating that their request for cancellation of the transfer could not be considered. On 14th June, 1963, the two workmen again wrote to the Chief Mining Engineer requesting *inter alia* that further action should be postponed till conciliation proceedings were concluded. In the meanwhile, the Conciliation Officer had taken up conciliation and by his letter dated 23rd/27th June, 1963, he reported failure of conciliation. All these facts are apparent from the documents which have been produced by the Union in this case and have not been disputed.

4. The Union's contention is that the transfer of these two workmen was not *bonafide* and was made to remove them from this colliery as they were taking active part in Trade Union activities there. An indirect reference has also been made to the effect that the transfer might affect the service conditions of these workers. The employers urge that they have the right to transfer the workers from only colliery to another and they did it *bonafide* in exercise of their right. They deny the allegation of want of *bonafides* and they also deny the allegation that the workers were transferred to remove them from the field of their Trade Union activities.

5. That the management have a right to transfer the workmen is not disputed. The general law is that when an employer employs a person, it is implicit in his appointment that he can be transferred to any place where the business of the employer in the same line is situated unless there is an express condition to the contrary in the contract of employment (see the case of S. N. Mukherjee Vs. Kemp & Company Limited, 1954, L.A.C. 903). We have the further fact that under Para 26 of the Standing Orders applicable to the workmen in the Coal Mining Industry in general and the present company in particular (copy of which has been produced in the present case), all workmen are liable to be transferred from one colliery to another under the same management provided such transfer does not cause any prejudice to their wages and other conditions of service and provided that reasonable notice is given of such transfer. There can therefore, be no doubt that the employers in the present case had a right to transfer the present workmen from one colliery to another. As a matter of fact, this right was not challenged before me.

6. Under para 26 of the Standing Orders referred to above, the transfer can be made from one colliery to another provided firstly that the two collieries are under the same management; secondly, that such transfer does not cause any prejudice to the wages and other conditions of service of the workmen and thirdly, reasonable notice is given of such transfer. It is not in dispute that the Bhanora colliery, the Jamuria A/B, pits colliery and the Bejdih colliery all belong to Messrs Equitable Coal Company Limited and therefore the first condition is fulfilled.

7 The second condition requires that there should be no prejudice to the wages and other conditions of service. An indirect allegation has been made in the written statement to show that the transfer may be prejudicial to them, as the collieries to which they are transferred may have to close down after two or three years. There is no evidence on this point and the point was not pressed before me. Apart from this, the employers have stated in their written statement that both the collieries have many years of life and the apprehension of retrenchment of the two transferred workmen expressed in para 26 of the workers' statement has been invented with ulterior motives. The employers have further said "if such alleged apprehension of retrenchment was ever brought up before the management in the past, the transferred workmen would have been immediately assured that they would not be retrenched. *The assurance is given at this stage also*". Thus, a clear assurance has been given by the employers that the two concerned workmen will not be retrenched on the ground of there being no work in the collieries to which they are transferred. Admittedly, all terms and conditions of service in all the collieries are the same; the workmen who were staying in the Miners' hostel in the Bhanora colliery are to stay in the hostels of the collieries where they are transferred. Thus there is no change of any service conditions. The second condition of para 26 of the Standing Orders is also fulfilled.

8. The third condition about reasonable notice is also fulfilled. The transfer was ordered on 16th March, 1963, and was to take effect as early as possible but not later than 25th March, 1963. I am told that Jamuria A/B pits collieries is about five miles from the Dhanora colliery while the Bejdih colliery is about 15 miles away. In my opinion, the period of nine days is sufficient notice for the transfer. Apart from this, at no stage was it alleged that reasonable or sufficient time was not given nor was extension of time asked for at any time. Actually, the transfer which was ordered in March has still not been carried out.

9. On the whole, I am satisfied that the conditions laid down in para 26 of the Standing Orders are fulfilled and therefore the employers had a right to transfer these workmen from Bhanora colliery to the Jamuria A/B pits colliery and Bejdih colliery respectively.

10. The only ground on which the transfer was challenged before me was want of *bonafides*. It was urged that these two workmen were taking leading part in the Trade Union activities and that is why they were transferred. In this connection, it was stated before me that the Colliery Mazdoor Union which is working in the coal industry formed a branch in this colliery in 1959. It was further stated that the inmates of the above hostel were orally prohibited from joining the union but that in spite of this some inmates of the hostel joined the union in 1961. It may be noted at this stage that there is no evidence in support of the allegation about an oral prohibition to the inmates of the hostel asking them not to join the Union.

11. It is an admitted fact that neither of the two transferred workers is an office bearer of the Union. The general secretary of the Union wrote a letter to the management informing them of the names of the members of the Branch Committee and Group Committee and though the branch committee consisted of 36 members and the group committee of 22 members, neither of these workmen is shown as a member of either committee. In this connection, I was told that this was because at the time when the committees were formed, no inmate of the hostel had joined the Union and that they joined subsequently. There is however no evidence on this point. There is also no evidence in support of the allegation that the present two workmen were taking any leading part in the Trade Union activities or that they were taking keen interest in the enrolling inmates of the hostel as members of the Union.

12. It was also argued that the present two workmen took an active part in making complaints against several irregularities etc., which were going on in the hostel. In this connection, it appears that some complaint was made to the Commissioner of the Coal Mines Welfare Organisation who deputed his Deputy Commissioner to conduct an enquiry in the matter. This report was called for by me.

On going through it, I do find that at the enquiry, conditions of the hostel were not found to be satisfactory in several respects. This however would not necessarily mean that the present two workers were responsible for this enquiry or that they took a leading part in making complaints, etc. It may be noted that this enquiry was ordered and conducted in May, 1963; that is, some time after the transfer order in dispute was passed. It does appear that the present workmen gave evidence at that enquiry but that also is not relevant. It was not only that these workmen gave evidence but other inmates of the hostel also did give evidence at that time. Further, the evidence was given after the order of transfer. What would be important would be whether the present workmen had taken a leading part in ventilating the grievances about the hostel which ultimately resulted in the enquiry and for this there is no evidence.

13. It is easy for a person who is transferred and who does not want to carry it out to make allegations that the transfer is being made to victimise him because of his Trade Union activities and also to say that the management want to remove him from that place because of this and further to say that the order is not *bonafide*. Allegations cannot take the place of proof; they must be substantiated by evidence. In the present case, there is absolutely no evidence on the point. I might repeat that the workmen concerned were not office-bearers of the Union and that there is no evidence to show that they were taking active interest in Trade Union work.

14. It has been held by the Supreme Court in the case of Barcilly Electricity Supply Company, Ltd., 1960-I L.L.J. 558, that transferring a workman is matter of internal management and industrial tribunals should be very careful before they interfere with the orders made in the discharge of management function in this behalf. It has been further held that the fact that no reasons were given for the transfer would be beside the point in deciding this question and that it cannot be made the sole basis to hold *malafides*. The Supreme Court has then observed, "It is hardly necessary to emphasize that the findings of *mala fides* can be made by industrial tribunals only after sufficient reliable evidence is led in support of it. Such a finding should not be made lightheartedly or in a casual manner". In the case of Kemp & Company referred to above, the Labour Appellate Tribunal has held that the right of the employer to transfer an employee to another place is not taken away by the fact that the employee is an office bearer or an active worker of the Union.

15. Rellance was placed on behalf of the Union on the cases of Standard Vacuum Oil Company Ltd., 1954-II L.L.J. 355 and Eveready Flash Light Company, 1961 II L.L.J. 204. In the first case, it was decided that the existence of a power to transfer and its scope and exercise are entirely two different questions and that colourable exercise by the employer of his power to transfer can always be the subject matter of an industrial dispute. It was further held that the power could be taken away or curtailed or regulated in express terms and that the power can be exercised by the employer or a person expressly authorised by him. It was also held that it should not prejudicially affect the service conditions. There is no dispute about any of these propositions. As I pointed out above, the Standing Orders expressly give the power to the employer which was exercised by their highest Officer who had a right to do so and it did not prejudicially affect the service conditions.

16. The second case referred to the expressions 'unfair labour practice' and 'victimisation' and it was held that each case will be considered according to its own circumstances. There is no dispute about this proposition also.

17. The important point would be whether the power of the employers to transfer the workmen was exercised *mala fide* and whether it was a case of victimisation because of Trade Union activities. As I mentioned above, there is no evidence in support of these allegations. On the contrary, from the evidence on record, it appears that the transfer was made because of complaints against these workmen.

18. It appears that Ram Samuj was chargesheeted on three different occasions in 1962. The first charge was for behaving in disorderly and indecent manner and abusing the hostel Superintendent and threatening to assault him while he was in drunken state. He denied the allegations and urged that he was being victimised because of a personal grudge. He was dismissed but there was a settlement before the Conciliation Officer under the terms of which he was reinstated on probation. It is important to note carefully the terms of settlement. It was agreed that the worker had to withdraw a criminal case which he had filed against the Hostel Superintendent and it was after he did so that he was to be

re-employed on probation. It was further agreed that if he put in six months' satisfactory service during the period of his probation, he would be given the benefit of continuity of his service. These terms would go to show that the workman indirectly admitted his guilt. It was not a case where he was reinstated forthwith with continuity of service but he was reinstated only on probation and he was to be given continuity of service only if his service during the period of six months' probation was satisfactory.

19. The second chargesheet was issued to him on 4th July 1962 for being found overdrunk in the hostel and using abusive language. In reply to this chargesheet he said that he was talking with some workmen but was not abusing him. At the time of the enquiry his statement was recorded where he admitted that he was overdrunk and due to intoxicated condition he had exchanged hot words and he prayed for being excused. The punishment passed on him was suspension for five days. The third chargesheet was given to him in December 1962 for frequent absence from duty without permission. In reply to this, he stated that he was formerly working as a mate but for some time he was directed to work as a loader which work was too hard for him and hence he was not able to attend his duties regularly. As a result of this chargesheet, he was dismissed but was again reinstated during conciliation proceedings.

20. The management have them produced three or four applications received by them in January and February 1963 in which applications serious allegations were made against the conduct of both these workers in the hostel. It also appears that the second workman was chargesheeted once.

21. It is thus found that so far as Ram Samuj is concerned he was chargesheeted on three different occasions and was found guilty on each occasion. The reinstatement after dismissal as a result of the first chargesheet shows that indirectly he admitted his guilt. At the time of second chargesheet, he specifically admitted his guilt. At the time of third chargesheet also he admitted that charge against him. It is significant to note that on none of these occasions did he ever allege that action was being taken against him because of his Trade Union activities. Even when he denied the allegations in the first chargesheet, all that he alleged was that there was some personal grudge against him by the Superintendent. Even then, there was no allegation of his so called Trade Union activities. Then, as I mentioned above, the management received complaints from other inmates of the hostel about the conduct of these two workmen. If in these circumstances, the management thought it fit to transfer these workmen to nearby collieries, it cannot be said that there was want of bonafides or that it was a case of victimisation. I must repeat that it is easy for a person to make allegations of this type but if he does not substantiate them, they cannot be held proved. I might also repeat that in the present case not only are the allegations not substantiated but the evidence on record shows that the management was justified in transferring these two workmen.

22. In the result, I hold that the transfer of the two workers, Ram Samuj and Rabbey Ali, was justified and they are therefore not entitled to any relief. Parties shall bear their own costs.

I pass my award accordingly.

(Sd.) L. P. DAVE,

Presiding Officer.

Dated, the 8th October, 1963.

[No. 6/14/63-LR. II.]

New Delhi, the 24th October 1963

S.O. 3090.—In pursuance of section 17 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby publishes the following award of the Industrial Tribunal, Dhanbad, in the industrial dispute between the employers in relation to the Khas Chhalbai Pur Colliery and their workmen, which was received by the Central Government on the 19th October, 1963.

BEFORE THE CENTRAL GOVERNMENT INDUSTRIAL TRIBUNAL,
DHANBAD

In the matter of a Reference under Section 10(1) (d) of Industrial Disputes Act, 1947.

REFERENCE NO. 7 OF 1962

PARTIES:

Employers in relation to the Khas Chalbalpur Colliery

AND

Their workmen.

PRESENT:

Shri Raj Kishore Prasad, M.A., B.L., *Presiding Officer.*

APPEARANCES:

For the Employers: Sri A. B. Prasad, an employee of the Colliery, appointed by the Managing Contractor Sri Shyamlal Saunda, assisted by Shri Mohan Lal Mehta.

For the workmen: Shri Kalyan Roy, Vice-President, Colliery Mazdur Sabha.

STATE: West Bengal.

INDUSTRY: Coal.

Dhanbad, dated the 7th October, 1963

AWARD

Ministry of Labour & Employment, Government of India, by its Order No. 1/43/61-LR.II, dated the 23rd January, 1962, referred, under Section 10(1) (d) of the Industrial Disputes Act, 1947, an industrial dispute existing between the employers in relation to the Khas Chalbalpur Colliery and their workmen in respect of the matter specified below, to this Tribunal for adjudication:—

SCHEDULE

"Whether the management of Khas Chalbalpur Colliery, P.O. Jaykaynagar, was justified in rendering the workers of the Colliery idle from 18th August 1961. If not, to what relief are these workers entitled?"

2. The Colliery Mazdoor Sabha, on behalf of the workmen concerned, filed a written statement on their behalf on 27th July 1962. Their main case was that as the safety of the workers was in danger due to illegal activities and violations of the Mines Regulations which, even when asked by the Mines Department, were not rectified by the management, the Mines Department on 18th August 1961 asked the management to discontinue coal raising till the rectification of various violations pointed out by them; that the management did not issue any notice to any workman nor any information was given to them and Sri Shyamlal Saunda, the Managing Contractor and the Management asked the workmen to go away; that the Union informed the authorities and also made various representations about the illegal and unjustified policy of the management, which rendered a large number of workmen unemployed suddenly; that the management, therefore, rendered the workmen concerned idle from 18th August 1961 and as such the workmen are entitled to all their past dues, full wages and salary and other benefits from the 18th August 1961 till the date of reopening of the Colliery.

3. A written statement, on behalf of the Managing Contractor Shri Shyamlal Saunda, was filed on 3rd April 1963 in which the main defence taken was that the workings of the Khas Chalbalpur Colliery were closed for reasons beyond the control of the management; that after the above closure since 17th August 1961 the management sought permission to pump the water from the deep workings of Khas Chalbalpur Colliery but the situation was considered so dangerous that even that request was refused by the Department of Mines; that soon after the closure of the Colliery the workmen became violent and behaved in a riotous manner which created a chaotic condition due to which the Colliery registers and records were lost; that there were about 70 permanent workmen in the Colliery at the time when the Colliery was closed; that, in these circumstances, the workers were entitled to retrenchment compensation from the 3rd June 1959 to 17th August 1961 only.

4. Sri A. B. Prasad, an employee of the Colliery, appointed by the Managing Contractor, Sri Shyam Lal Saunda, assisted by Shri Mohan Lal Mehta, represented the management. Shri Kalyan Roy, representing the Union, appeared for the workmen concerned.

5. The management did not examine any witness; but it filed certain documents, which were marked, with the consent of the other side, as Exhibits M. to M.2. The workmen, however, examined three witnesses, namely, W.W.1, Sri M. P. Roy, Regional Inspector of Mines; W.W.2, Sri Mehi Ram, Trammer, one of the workmen concerned and W.W.3, Sri Sunil Sen, Organising Secretary of the Union, and, also filed documents which also were marked, with the consent of the other side, as Exhibits W. to W.10.

6. Sri A. B. Prasad, representing the management, also filed a written argument in which the main case of the management was that the workmen concerned will be deemed to have been retrenched with effect from 18th August, 1961 when the Colliery was closed, and therefore, they were entitled to receive retrenchment compensation, for the payment of which only the Managing Contractor, who took over on 3rd July, 1959, would be liable from 3rd July, 1959 to 18th August, 1961, in as much as, the closure of the Colliery with effect from 18th August, 1961 was bonafide and for reasons beyond the control of the management.

7. On the case presented by both parties, the crucial question for determination is, whether the closure of the Colliery was bonafide, due to reasons beyond the control of the management as alleged? If this question is answered in the negative, then it is obvious that the workmen will be entitled to their wages and other allowances from the 18th August, 1961 for the entire period of their idleness during which the Colliery remained closed, till their reinstatement after the re-starting of the Colliery.

8. On the above question, in my opinion, the evidence of W.W.1, Sri M. P. Roy, Regional Inspector of Mines, is very important. As he is a reliable witness, being a Government Officer, and an independent person, his evidence must be accepted. As a matter of fact the management also relied on his evidence. The evidence adduced on behalf of the workmen is unchallenged and uncontraverted as the management in spite of the witnesses for the workmen having been examined first did not examine any witness in rebuttal nor even Shri Mohan Lal Mehta who was present in court and assisting Sri A. B. Prasad.

9. In order to appreciate the defence of the management it is necessary to know the situation of this Colliery. From the evidence of Shri M. P. Roy, W.W.1, we get the following:

There are two Collieries situated side by side, namely, Khas Chalbalpur Colliery, with which which we are concerned, and K. L. Selected Chalbalpur Colliery. The management of both the Collieries and the owners of both are different. Khas Chalbalpur Colliery and K. L. Selected Chalbalpur Colliery have a common boundary as they are adjacent to each other. K. L. Selected Chalbalpur Colliery is situated on the right side of Khas Chalbalpur Colliery and as there existed no barrier or thin barrier between them the water logged workings at K. L. Selected Chalbalpur Colliery were likely to inundate the workings of Khas Chalbalpur Colliery. The K. L. Selected Chalbalpur Colliery was water logged and, therefore, there was danger of inundation to Khas Chalbalpur Colliery from the accumulated water of K. L. Selected Chalbalpur Colliery. This danger of inundation existed from the year 1957, and, therefore, no further working on the rise side of the Khas Chalbalpur Colliery could possibly be made between the period from 1959 to 17th August, 1961. As Khas Chalbalpur Colliery was liable to be inundated, the Department of Mines took action against Khas Chalbalpur Colliery. As there was no danger from the water of K. L. Selected Chalbalpur Colliery from its accumulated water no action was taken against K. L. Selected Chalbalpur Colliery.

On the 17th August, 1961, W.W.1, along with others inspected both the mines and recorded their inspection note on 21st August, 1961, Exhibits W.5. As a result of this inspection, W.W.1, sent a letter on 23rd August, 1961, Exhibit W.4, to Kumar Rani H. Devi, owners of Khas Chalbalpur Colliery, directing the management to comply with the following directions:

"Whenever the water level in K. L. Selected Chalbalpur Colliery rises in the dip side geaf of No. 1 Pit to a level 250 feet to the dip of the pit, all work persons should be withdrawn from the underground workings of your mine."

In the said letter Exhibit W.4, W.W.1 further said that:

"This inspection, however, revealed that, though the water at the aforesaid geaf of K. L. Selected Chalbalpur Colliery was standing only 100 feet to the dip of No. 1 Pit, no efforts, whatsoever had been made by you to withdraw work persons from the underground workings."

Other defects were also pointed out in Exhibit W.4 but the management took no need of the directions of W.W.1.

W.W.1 stated before the Tribunal that if the water of K. L. Selected Chalbalpur Colliery could be de-watered then the danger of inundation of water would not exist at Khas Chalbalpur Colliery. W.W.1 further stated, as mentioned in Exhibit W.4 also, that because of this danger of inundation employment of work persons at Khas Chalbalpur Colliery was prohibited till the danger was removed as was the practice in previous years. He further said that under Statute a solid barrier of 25 feet thickness is required to be left by each of the adjacent mines against the common boundary, but from his records he could say that both the parties had de-pillared, that is, they have extracted coal against this common boundary which had ultimately thinned the barrier. W.W.1 further re-stated that the employment of work persons in the Khas Chalbalpur Colliery was prohibited because of danger of inundation which was considered to be one of the biggest violations existing in a mine. He also said that Khas Chalbalpur Colliery did not approach the Department of Mines for depillaring permission anywhere in the mine after Coal Mines Regulations 1957 came into force. He further said that since 1957 the Khas Chalbalpur Colliery worked smoothly and there was no danger of inundation from K. L. Selected Chalbalpur Colliery water as the water level at K. L. Selected Chalbalpur Colliery was arranged to be maintained at a lower level by virtue of an agreement between the two parties. W.W.1 then said that as no compliance by Khas Chalbalpur Colliery was made of the directions of the Department of Mines as contained in Exhibit W.4 which were detected on 17th August, 1961, resulting in the prohibition of employment till such time the danger was removed, the workmen concerned were made idle by the management from 18th August, 1961 due to the order of the Department of Mines contained in Exhibit W.5 till the danger was removed to their satisfaction.

W.W.1 further said that this danger could be removed by joint efforts of the management of Khas Chalbalpur Colliery and the K. L. Selected Chalbalpur Colliery as had been done in the previous years. When both parties do not agree the aggrieved party brings their difficulties before us, when we bring in a compromise between the two parties and under such circumstances the original agreement Exhibit W.7 between the two parties was made in 1958; but in the present case, none of the two parties made joint efforts because none of them made any complaint to him (W.W.1) so as to enable the Department of Mines to intervene in the matter.

W.W.1 filed the agreement dated 25th July, 1958 (Exhibit W.7) arrived at between Khas Chalbalpur Colliery and K. L. Selected Chalbalpur Colliery and also the letter dated 27th July, 1958, Exhibit W.6, sent by the Manager Khas Chalbalpur Colliery to the Regional Inspector of Mines enclosing the said agreement Exhibit W.7.

10. There is no evidence on behalf of the management, to contradict the above statements of W.W.1. Sri A. B. Prasad, on behalf of the management, relied on Exhibit M, a letter dated 22nd August, 1961 written by the Manager of the Khas Chalbalpur Colliery to the Regional Inspector of Mines asking for inspection of the rise workings and praying for permission to pump the water from deep workings of this Colliery so that the starting of the work can be taken up. He also relied on Exhibit M.1, the reply sent on 23rd September, 1962 by the Regional Inspector of Mines to the Manager, in reply to Exhibit M. In Exhibit M.1 it is stated that as there is no possibility of irruption of water due to the thin barrier that exists between Khas Chalbalpur Colliery and K. L. Selected Chalbalpur Colliery, there is a definite danger to the lives of the persons employed in Khas Chalbalpur Colliery and as such the request made in Exhibit M. cannot be acceded to. A reference was also made to an agreement dated the 4th July 1959 between Kumar Rani Hurpyari Debi the owner of the Colliery and Shri Shyamlal Saunda, Managing Contractor of the Colliery. In my opinion, none of these documents at all help the management, for the simple reason as stated by W.W.1, that if joint efforts were not made in that K. L. Selected Chalbalpur Colliery did not cooperate, then it was the duty of Khas Chalbalpur Colliery to complain to W.W.1 or the Mines Department and then steps could be devised for de-watering

the water-logged area in K. L. Selected Chhalbapur Colliery. The fault, therefore, lay with the management of Khas Chhalbapur Colliery in avoiding the issue and in taking no steps.

11. On the facts stated above, and on the uncontraverted evidence on behalf of the workman, therefore, there is no doubt that the Khas Chhalbapur Colliery had to be closed due to the fault of its owners and their Managing Contractor, because the directions given by the Mines Department were not followed and complied with which resulted in danger to the life of workmen working there. The management took advantage of the directions given in Exhibit W.4 not to employ workmen in such a situation and under the cover of that order concealed their default and wilful neglect of duty in making no effort, as stated by W.W.1, to de-water the water of K. L. Selected Chhalbapur Colliery which would have prevented danger of inundation of water to Khas Chhalbapur Colliery and thus kept it working. If K. L. Selected Chhalbapur Colliery had not agreed, then a complaint could have been made to W.W.1 but this was not done. I therefore, hold that the management of Khas Chhalbapur Colliery was at fault in closing the Colliery and as such it was not justified in rendering idle the workmen concerned from 18th August, 1961. The first part of the reference is answered accordingly.

12. I may mention that there is no substance in the contention of the management that the workmen should be deemed to have been retrenched because admittedly the conditions precedent to retrenchment of workmen required by Section 25F of the Industrial Disputes Act, 1947 were not complied with, in as much as, no notice, much less one month's notice in writing, was given, admittedly, to the workmen concerned nor it has been shown that the workmen were paid at the time of retrenchment, compensation as required by Section 25F(b) of the Act or that a notice in the prescribed manner was served on the appropriate Government. In these circumstances, the contention of the management that the workers must be deemed to have been retrenched must be rejected.

13. The next question is what relief are the workmen entitled to under these circumstances. The names of the workmen, who were working at the time of the closure of the Colliery has not been given in the reference but a list giving the names of workers employed in Khas Chhalbapur Colliery at the time of the closure of the Colliery was filed before the Conciliation Officer and it has been filed before this Tribunal also. The said list is Exhibit W.10. This list is challenged but not seriously on behalf of the management as it has not filed any list of its own nor filed the register of workers working at the time of the closure of the Colliery. This list Exhibit W.10 mentions 210 workers who are said to be permanent workers. Besides these 210 permanent workers named in Exhibit W.10, it is mentioned therein that there are 25 monthly paid staff, but their names are not given therein. Sri Kalyan Roy, on behalf of the workmen, relied on this list Exhibit W.10, and, as it was not seriously challenged or contradicted, he submitted that this list Exhibit W.10 should be accepted. I think this contention is correct.

I, therefore, hold that, along with 25 other monthly paid-staff, the 210 workers, who are mentioned in Exhibit W.10, were working at the time of the closure of the mine and that they were made idle from the 18th August 1961, and as it was unjustified these workmen would be entitled to their full wages and other emoluments to which they would have been entitled till the date of their reinstatement by the management.

14. I may also mention that the case of the workers was that the Colliery has started working and steps in this respect have been taken and it will start working from 7th October, 1963, when the case was heard. This fact was not denied by the management but what the management said was that some other person was working it. I cannot, however, understand how, except the owner and the Managing Contractor any third person without any authority from anyone of them could re-start the work. This plea of the management, therefore, has to be rejected.

W.W.3 on this question has stated that for the past one month watering operation has started in Khas Chhalbapur Colliery and that coal raising is to start from today i.e. (7th October, 1963) and for this purpose the Manager, Agent and Labour Officer are there. W.W.3 has further stated that the management is employing new workers but not allowing the old workers who were working before 17th August, 1961, to work in the Colliery after it has re-started. He also stated that he visited the Colliery last Saturday, that is, on 5th October, 1963 and that what

he had stated were seen by him and were from his personal knowledge. W.W.2, one of the workmen concerned, has stated that about 350 people were working at that time when the Colliery was closed. Out of this 350 about 300 workmen were permanent workmen. But as there is no documentary evidence to support this statement, I have to take Exhibit W.10, which has been filed by the workmen and on which reliance was placed on behalf of the workmen, to give the correct figure. It may be mentioned as stated earlier that although Shri Mohan Mehta, representative of the Managing Contractor of Khas Chhalbalpur Colliery, was present in Court, assisting Sri A. P. Prasad in conducting the case before the Tribunal, he had no courage to deny the assertion of the workmen that raising was to start from 7th October, 1963 and that the management was employing new hands and not allowing old hands who were working at the time of closure of the mine on 17th August, 1961.

15. For these reasons, in my opinion, all the workmen who were working as permanent workers or monthly paid-staff in the colliery, including those mentioned in Exhibit W.10, as this list is not exhaustive, should be reinstated, by the management to their original jobs and the management must pay them their full wages from 18th August, 1961 till the date of their reinstatement.

16. The management must implement this award within one month from the date when this award becomes effective after its publication under Section 17 of the Act.

17. This is the award which I make and submit to the Government of India under Section 15 of the Act.

DHANBAD,
The 7th October, 1963.

(Sd.) RAJ KISHORE PRASAD,
Presiding Officer,
Central Government Industrial Tribunal, Dhanbad.
[No. 1/43/61-LRII.]

ORDERS

New Delhi the 19th October 1963

S.O. 3091.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Allahabad Bank Limited, and their workmen in respect of the matter specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the demand of the workmen of the Allahabad Bank Limited, for payment of bonus at the rate of 16-2/3% of the pay as drawn on the last day of the year 1962 is justified? If not, are the workmen entitled to get bonus at any rate higher than the rate proposed by the Allahabad Bank?

[No. 51(66)/63-LRIV.]

S.O. 3092.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Calcutta Insurance Limited, Calcutta and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central

Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the terms and conditions of service of the workmen in the Calcutta Insurance Limited in respect of all or any of the following matters require any revision and, if so, to what extent and from which date?

- (1) Classification of employees.
- (2) Scales of pay.
- (3) Dearness Allowance.
- (4) Adjustment in the scales.
- (5) Recruitment and promotion.
- (6) Confirmation of employees.
- (7) Overtime allowance.
- (8) Privilege and sick leave.
- (9) Allowance during suspension.
- (10) Provident Fund.
- (11) Gratuity.
- (12) Retirement age.
- (13) Medical facilities.

[No. 70(2)/63-LRIV.]

New Delhi, the 21st October 1963

S.O. 3093.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Shri Parama Singh, Miner, by the management of the Jamadoba Colliery, from 27th May, 1963 to 5th June, 1963 was justified; if not to what relief is the workman entitled.

[No. 2/54/63-LRII-II.]

S.O. 3094.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Jamadoba Colliery of Messrs Tata Iron and Steel Company Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Shri Raj Bahadur Pandey, Trammer by the management of the Jamadoba Colliery, from 18th May, 1963 to 27th May, 1963 and from 12th June 1963 to 21st June, 1963 was justified; if not to what relief is the workman entitled.

[No. 2/54/63-LRII-I.]

S.O. 3095.—Whereas, the Central Government is of opinion that an industrial dispute exists between Shri Basdeo Ram Chawan, ex-contractor, Loyabad Colliery, hereafter referred to as the "Contractor", and his workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947) the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the idleness imposed on the following seventeen hazri kamins by the Contractor with effect from the 30th July, 1962, was justified. If not, to what relief are the workmen entitled?

1. Sairum Jolahin.
2. Nagia Bhuini.
3. Ajhalowa Pashin.
4. Bhatni Pashin.
5. Safidan Jolahin.
6. Anarwa Pashin.
7. Gangia Dusadhin.
8. Lacchmania Pashin.
9. Janakowa Dusadhin.
10. Kabutaria Dusadhin.
11. Rajni Jolahin.
12. Gouri Bhuiya.
13. Marni Kamin.
14. Munarwa Bhuini.
15. Basowa Thakurain.
16. Bhaswa Mahatain.
17. Kablasia Dusadin.

[No. 2/109/62-LR.II.]

S.O. 3096.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Murulidih Colliery of Messrs Bengal Coal Company and Messrs Kalyanji Mavji and Company, managing contractors of the Murulidih Colliery, on the one hand, and their workmen on the other hand in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the transfer ordered by Messrs Kalyanji Mavji and Company of the following workmen from Murulidih Colliery to South Samla Colliery and consequent stoppage from work of these workmen in Murulidih Colliery is justified. If not, to what relief are the workmen entitled.

1. Sri Rajak Sao, Stone dusting mazdoor.
2. Sri Kurban Sao, Stone dusting mazdoor.
3. Sri Akbar Mian, Stone dusting mazdoor.
4. Sri Raj Bahadur, Line Mazdoor.
5. Sri Bhutu Mahato, Timber Mazdoor.
6. Sri Nidhiram Mahato, Timber Mazdoor.
7. Sri Makbul Shaw, Timber Mazdoor.
8. Sri Moti Rajewar, Timber Mazdoor.
9. Sri Sher Mohammad, Timber Mazdoor.
10. Sri Gokul Gope, Line Mistry.
11. Sri Jaru Gope, Line Mazdoor.
12. Sri Guzar Mahato, Line Mistry.
13. Sri Jogi Mahato, Line Mazdoor.
14. Sri Sri Gulzar Shaw, Line Mazdoor.
15. Sri Shermohammad Shaw, Timber Mazdoor.
16. Sri Kamiruddin Shaw, Fire Fighting Mazdoor.
17. Sri Abdul Kadir Shaw, Fire Fighting Mazdoor.
18. Sri Mali Mahato, Timber Mazdoor.
19. Sri Moti Rajwar, Timber Mazdoor.

[No. 1/18/63-LR.II.]

S.O. 3097.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Pure Kustore Colliery and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Dhanbad, constituted under section 7A of the said Act.

SCHEDULE

Whether the dismissal of Shri Ibrahim Mia, pump khalasi, by the management of the Pure Kustore Colliery was justified. If not, to what relief is the workman entitled?

[No. 2/43/63-LR.II.1]

New Delhi, the 23rd October 1963

S.O. 3098.—Whereas, the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Nowrozabad Colliery of Messrs. Associated Cement Companies Limited, Post Office Nowrozabad, District Shahdol, and their workmen in respect of the matters specified in the Schedule hereto annexed;

And, whereas, the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whether the suspension of Sarvashri Lalmani and Satal, coal tub mazdoors, for ten days by the management of the said Nowrozabad Colliery was justified. If not, to what relief are the workmen entitled?

[No. 5/50/63-LR.II.]

S.O. 3099.—Whereas, the employers in relation to the Bombay Port Trust, Bombay, and the Bombay Port Trust Employees' Union have jointly applied to the Central Government for reference of an industrial dispute between them to a Tribunal in respect of the matter set forth in the said application and reproduced in the Schedule hereto annexed;

And, whereas, the Central Government is satisfied that the said Bombay Port Trust Employees' Union represents a majority of the workmen;

Now, therefore, in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby refers the said dispute for adjudication to the Industrial Tribunal, Bombay, constituted under section 7A of the said Act.

SCHEDULE

Whereas an industrial dispute exists between the Bombay Port Trust and its workmen represented by the Bombay Port Trust Employees' Union and it is expedient that the dispute specified in the enclosed statement should be referred for adjudication by a Tribunal an application is hereby made under Section 10(2) of the Industrial Dispute Act, 1947, that the said dispute should be referred to a Tribunal.

A statement giving the particulars required under rule 3 of the Industrial Dispute (Central) Rules, 1957, is attached.

Dated the 1st October 1963

Signature of

Sd/-

Principal Officer of the Corporation
Secretary, Bombay Port Trust.

Sd/-

Signature of

Sd/-

Vice President of the
Trade Union

Sd/-

General Secretary of the
Trade Union.

Statement required under rule 3 of the Industrial Disputes (Central) Rules, 1957 to accompany the form of application prescribed under sub-section (2) of Section 10 of the Industrial Disputes Act, 1957:—

(a) Parties to the dispute including the name and address of the establishment or undertaking involved.

(1) The Trustees of the Port of Bombay, Port Trust Administrative Offices, Ballard Road, Bombay-1.

(2) Bombay Port Trust Employees' Union, Port Trust Kamgar Sadan, Nawab Tank Road, Mazagon, Bombay-10.

(b) Specific matters in dispute.

"Whether the workmen employed in the Oil Pipe Lines at the Butcher Island, Trombay, Pir Pau, Wadala Alexandra Dock be rotated at the places of work. If so, when and how the rotation should take place and amongst which of the foregoing places. If not, whether the postings at Butcher Island should be made according to seniority from among those working at all or any of the above places.

What should be the date from which Award should be effective."

(c) Total number of workmen employed in the undertaking affected.
About 25,000.

(d) Estimated number of workmen affected or likely to be affected by the dispute.

About 640.

(e) Efforts made by the parties themselves to adjust the dispute.

The parties have held discussions but have been unable to reach a settlement; they have, however, agreed to refer the matter to adjudication.

(Sd.) Vice President of the
Trade Union.

Sd/-
Principal Officer of the Corporation
Secretary, Bombay Port Trust.

Sd/-
General Secretary of the
Trade Union.

[No. 28/76/63-LRIV.]

S.O. 3100.—Whereas the Central Government is of opinion that an industrial dispute exists between the employers in relation to the Allahabad Bank Limited and their workmen in respect of the matters specified in the Schedule hereto annexed;

And whereas the Central Government considers it desirable to refer the said dispute for adjudication;

Now, therefore, in exercise of the powers conferred by section 7A and clause (d) of sub-section (1) of section 10, of the Industrial Disputes Act, 1947 (14 of 1947), the Central Government hereby constitutes an Industrial Tribunal of which Shri J. K. Tandon shall be the Presiding Officer and which shall have its headquarters at Lucknow, and refers the said dispute for adjudication to the said Industrial Tribunal.

SCHEDULE

Whether the action of the management of the Allahabad Bank Limited in taking away the counter-signing work from Shri Bhagwan Prakash Saxena with effect from 16th October 1958, was justified and if not what relief he is entitled to

[No. 55(27)/63-LRIV.]

A. L. HANDA, Under Secy.

New Delhi, the 23rd October 1963

S.O. 3101.—In pursuance of the provisions of paragraph 20 of the Employees' Provident Funds Scheme, 1952, the Central Government hereby appoints Shri K. S. Sethi as the Regional Provident Fund Commissioner for the whole of the Union territory of Delhi, vice Shri M. C. Gupta and directs that Shri K. S. Sethi shall work under the general control and superintendence of the Central Provident Fund Commissioner.

[No. 20(44)63-PFI/I.]

S.O. 3102.—In exercise of the powers conferred by sub-section (1) of section 13 of the Employees' Provident Funds Act, 1952 (19 of 1952), the Central Government hereby appoints Shri K. S. Sethi to be an Inspector vice Shri M. C. Gupta for the whole of the Union territory of Delhi for the purposes of the said Act or of any scheme framed thereunder, in relation to an establishment belonging to, or under the control of the Central Government, or in relation of an establishment connected with a railway company or a controlled industry.

[No. 20(44)63-PF-I/II.]

P. D. GAIHA, Under Secy.

ERRATUM

In Order No. 5/47/63-LRII of Ministry of Labour and Employment, dated 1st October, 1963, published in the Gazette of India, Part II—Section 3(ii), dated 12th October, 1963 as S.O. 2913, the following correction is to be made:—

Page 3733, 3rd para of the notification, 4th line—

for "Tribunal, Dhanbad,"

read "Tribunal, Bombay,".

MINISTRY OF MINES & FUEL

New Delhi, the 21st October 1963

S.O. 3103.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Kanpur in Uttar Pradesh State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (i) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962 (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipelines under the land to the Competent Authority at 7/166, Swarup Nagar, Kanpur in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

State—Uttar Pradesh Tehsil—Zamania Distt.,—Ghazipur

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B			B. B. B
1. Usia	1340/2	0 0 10	Usia—contd.	1380	0 5 10
	1341	0 11 0		1382	0 0 7
	1342	0 1 10		1384	0 3 4
	1355	0 3 10		1388	0 0 5
	1356	0 5 10		1390	0 9 10
	1357	0 3 0		1460	0 0 5
	1358	0 2 10		1461	0 3 10
	1359	0 1 10		1462M	0 2 10
	1360	0 1 15		1463	0 1 0
	1361	0 1 10		1465	0 0 5
	1363/1	0 6 0		1466/1	0 3 10
	1364	0 2 0		1467/1	0 6 10
	1377	0 0 13		1468/1	0 7 0
	1379	0 4 0		1469/2	0 6 0

Village	Survey No.	Extent	Village	Survey No.	Extent
Usta—contd.	1602/2	0 10 10	Usta—contd.	3414	B. B. B. 0 4 10
	1607/1	0 0 10		3415	0 6 0
	1607/2	0 1 10		3416	0 3 0
	1608/1	0 2 10		3428	0 1 0
	1609	0 0 10		3447	0 4 0
	1614/2	0 7 0		3448	0 0 10
	1614/3	0 5 7		3450	0 0 10
	1614/6	0 6 10		3451	0 1 10
	1614/9	0 0 5		3452	0 0 10
	1631/4	0 9 13		3623/1	0 1 0
	1632	0 1 5		3876	0 0 10
	1633	0 3 0		3877	0 0 5
	1634	0 6 5		3883	0 3 10
	1638	0 4 10		3884	0 8 10
	1639	0 0 10		3886	0 1 10
	1640	0 5 15		3904	0 1 10
	1659	0 2 10		3905/1	0 2 10
	1660	0 7 0		3906	0 6 0
	1661	0 5 0		3907	0 0 15
	1663	0 11 10		3908	0 3 10
	1664	0 10 10		3909	0 3 10
	1673/2	0 5 19		3910	0 0 5
	1674/2	0 3 10		3912/3	0 4 10
	1675/1	9 8 10		3917	0 6 10
	1692	0 11 0		3918	0 4 0
	1694	0 11 0		3919	0 0 10
	1702	0 7 0		3945	0 1 0
	1703/1	0 1 10		3946	0 0 19
	3180	0 11 10		3947	0 9 10
	3183	0 0 10		3954/2	0 9 0
	3184	0 6 10		3961	0 0 10
	3188	0 1 0		3962	0 6 10
	3189	0 1 10		3963	0 2 0
	3195	0 1 0		3965	0 6 10
	3210	0 13 0		3988/1	0 2 10
	3211	0 0 10		3989/4	0 3 10
	3224	0 0 10		3991	0 0 5
	3225	0 0 10		3992	0 0 10
	3226	0 5 10		3993/2	0 11 10
	3232	0 0 10		3997	0 3 10
	3236	0 1 10		3998	0 0 10
	3237	0 2 10		3999/2	0 4 10
	3238	0 0 10		4000	0 2 0
	3239	0 2 0		4003	0 0 10
	3240	0 2 0		4005	0 3 10
	3241	0 1 5		4006	0 2 10
	3242	0 1 10		4008	0 1 10
	3243	0 0 5		4009	0 2 10
	3246	0 1 0		4010	0 0 5
	3254	0 3 10		4011	0 4 0
	3255	0 4 10		4012	0 3 0
	3256	0 3 10		4013	0 3 0
	3399	0 2 10		4014	0 2 10
	3400	0 0 10		4087	0 6 0
	3401	0 2 10		4088	0 2 0
	3402	0 0 10		4090	0 3 0
	3403	0 0 5		4091	0 1 18
	3405	0 2 10		4107	0 2 10
	3408	0 2 10		8970/	0 0 10
	3409	0 3 0		8971	0 6 0
	3410	0 9 10		8972	0 1 10
	3411	0 2 10		8984	0 2 0
	3412	0 2 0		8985	0 5 10
	3413	0 6 10		8986	0 2 0

Village	Survey No.	Extent	Village	Survey No.	Extent
		B. B. B.			B. B. B.
Usia—contd.	8990	0 2 0	Usia—contd.	10520	0 2 0
	8991	0 5 0		10524	0 0 10
	8992	0 1 10		10525	0 2 10
	8997	0 1 0		10526	0 3 10
	9007/2	0 3 10		10527	0 5 0
	9008/1	0 3 10		10528	0 1 0
	9009/1	0 3 10		10529	0 2 10
	9010/2	0 2 0		10530	0 1 0
	9011/1	0 4 10		10781	0 2 10
	9044	0 2 0		10798	0 2 10
	9045	0 5 0		10799	0 2 0
	9046	0 0 10		10813	0 1 10
	9056	0 0 5		10814	0 4 0
	9208	0 2 0		10815	0 0 10
	9224/2	0 1 10		10817	0 2 0
	9225	0 1 10		10818	0 4 0
	9226	0 3 10		10819	0 0 10
	9227	0 2 5		10820	0 1 15
	9228	0 6 10		10821	0 5 0
	9234	0 3 0		10822	0 3 0
	9235	0 5 0		10823	0 1 0
	9236	0 1 0		10826	0 0 10
	9239/1	0 2 0		10827	0 6 0
	9240	0 5 10		10828	0 0 10
	9242	0 2 10		10829	0 3 0
	9243	0 5 10		10830	0 2 10
	9244	0 1 0		10831	0 4 10
	9258	0 5 10		10832/2	0 1 10
	9423	0 1 10		11084	0 1 0
	9424	0 2 10		11085	0 3 0
	9425/1	0 1 0		11086/1	0 5 10
	9429	0 3 10		11088/2	0 2 10
	9430	0 3 10		14356	0 2 0
	9435	0 4 0		14369	0 1 10
	9436/2	0 4 10		14372/2	0 5 0
	9437	0 1 10		14373	0 2 0
	9441/2	0 1 10		14374	0 6 0
	9442	0 3 0		14379	0 3 0
	10272	0 4 10		14380	0 5 0
	10276	0 3 0		14381/2	0 2 0
	10277	0 1 10		14382/1	0 9 0
	10278/2	0 2 10		14849/3	0 2 0
	10282	0 0 10		14858/1	0 9 0
	10283	0 5 10		14870	0 3 0
	10285	0 3 10		14871/2	0 2 10
	10286	0 2 10		14872	0 2 0
	10308	0 0 10		14876/1	0 1 0
	10314	0 1 0		14877	0 2 10
	10315M	0 1 12		14878/1	0 3 0
	10315M	0 0 8		14879/1	0 2 0
	10316	0 1 0		14880	0 1 0
	10317	0 2 10		14881	0 0 5
	10318	0 2 0		14882	0 3 0
	10319	0 2 10		14884	0 3 0
	10323	0 1 0		14885	0 29 0
	10324	0 0 10		14886	0 5 0
	10490/1	0 3 0		14887	0 0 10
	10497/1	0 0 5		14891	0 0 10
	10499	0 2 10		14892/1	0 0 5
	10500	0 2 0		14931/2	0 6 0
	10501/1	0 2 0		14932	0 7 0
	10516	0 1 10		14933	0 5 0
	10518	0 2 10		14934/2	0 2 10
	10519	0 2 10		14935	0 1 0

Village	Survey No.	Extent	Village	Survey No.	Extent
Usia— <i>contd.</i>	14936	B. B. B. 0 4 0	Usia— <i>contd.</i>	15006	B. B. B. 0 2 0
	14937	0 1 0		15007	0 2 10
	14995	0 3 10		15027	0 6 0
	14996	0 6 0		15028	0 5 0
	14997	0 1 10		15030	0 1 0
	15002	0 4 0		15032	0 0 5
	15003	0 4 0		15042	0 4 0
	15004	0 3 10			

[No. 31/50/63-ONG.]

S.O. 3104.—Whereas it appears to the Central Government that it is necessary in the public interest that for the transport of petroleum between Barauni Refinery in Bihar State and Haldia Port in Calcutta in West Bengal State, a pipeline should be laid by the Indian Refineries Limited and that for the purpose of laying such a pipeline, it is necessary to acquire the right of user in the land described in the Schedule annexed hereto;

2. Now, therefore, in exercise of the powers conferred by sub-section (1) of section 3 of the Petroleum Pipelines (Acquisition of Right of User in Land) Act, 1962, (50 of 1962), the Central Government hereby declares its intention to acquire the right of user therein.

3. Any person interested in the said land may, within 21 days from the date of this notification, object to the laying of the pipeline under the land to the competent authority at 9, Syed Amir Ali Avenue, Calcutta-17, in the office of the Indian Refineries Limited. Every person making such an objection shall also state specifically whether he wishes to be heard in person or by a legal practitioner.

SCHEDULE

ADDENDUM TO :

State—West Bengal			Distt.—Hooghly			Tahsil/Thana—Haripal		
Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)	Village	Survey No. (Plot No.)	Extent (Area)
Harishpur, J.L. 3	579	.005	Sundarpur J.L. 24— <i>contd.</i>	413	.01			
				439	.02			
Alipur, J.L. 7	326	.17	Sibrampur, J.L. 6	655	.10			
	460	.005		672	.005			
	326	.18						
Mora, J.L. 25	329	.005	Basuri, J. L. 31	289	.005			
	355	.02		833	.03			
	481	.005		856	.08			
	482	.02	Sahara, J.L. 37	524	.03			
	682	.01						
	686R	.05	Balia, J.L. 4	483	.03			
	687	.005		900	.04			
	688	.12						
Sundarpur, J.L. 24	405	.005	Chak Dumur, J.L. 23	159	.01			
	410	.02		176	.01			

[No. 31/33/63-ONG.]

B. SUBBA RAO, Under Secy.